

# THE TIMES

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SCHOOL

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Stephen Lawrence,  
a police  
new  
syndrome

Fantasy Football League: How did your team get on? Page 46

Eat  
out for  
only a  
fiver

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30p  
EVERY  
WEEKDAY

Storm over advice to teenage mothers

## 'Give babies for adoption' call by Straw

By ALEXANDRA FREAN, SOCIAL AFFAIRS CORRESPONDENT

JACK STRAW was at the centre of a storm last night after saying that more teenage mothers should give up their babies for adoption.

The Home Secretary blamed "well-meaning but misguided" social workers for over-estimating the ability of many young women to cope with the financial and emotional burdens of motherhood.

As a result, too many infants ended up being taken into council care and kept in "a state of limbo" until a suitable home could be found for them with foster carers or adopters.

Mr Straw told a conference organised by the Family Policy Studies Centre: "It is in no one's interests, not the mother's, not the child's, not the prospective parents', to allow a situation to develop whereby a crisis point is reached in the child's first year because the ability of the mother to rear a teenage mother, to cope with all the burdens of motherhood and to misjudged people."

While not actually proposing a return to the practice of coercing unmarried young women into handing their baby adopted, Mr Straw said that such a decision often resulted in a better life for the child. "If you get to a situation where young mothers feel happy about adoption that's so much the better. It is better if these adoptions are done voluntarily than if the children are later taken into care," he said.

Mr Straw said that he had been surprised to discover that

for both parent and child. Adoption was nearly always the second best option for a child, while women who gave up their children in the 60s experienced health problems and mental illness.

Felicity Collier, director of the British Agencies for Adoption and Fostering, said that more than 70 per cent of children in care returned to their natural families within a year. "We need to encourage support for all mothers, whatever their situation."

Chris Davies, president of the Association of Directors of Social Services, rejected the Home Secretary's criticism of social workers, but conceded that more could be done to speed up the adoption process. "The reason there are very few babies now offered for adoption is not because social workers discourage it, but because nowadays most mothers in this situation never see a social worker at all," he said.

Veronica Agius, who was forced to give her illegitimate daughter away for adoption 33 years ago, said: "I think about it every day. I have never had any other children, and my daughter says she is not ready to make contact with me. It is my deepest regret."

But Sheila Walker, 59, who gave up her baby son for adoption in 1959, said that it had been the best decision for both of them. "I am glad I made that sacrifice for him."

Trying to help, page 7

Hussein chooses his eldest son

King Hussein of Jordan confirmed by royal decree that his eldest son, Prince Abdullah, 36, is his heir, not the King's son, Prince Hamza, or the King's brother, Prince Hassan, who had been Crown Prince for 34 years. — Page 13

Athlete fails test

A British athlete has failed a dope test. A UK Athletics spokeswoman said that for legal reasons she could not give the name, the gender or the substance involved. — Page 52



I'm not the baby, I'm the mother

there were as many as 3,500 children aged under two in council care, while many childless couples wanting to adopt were kept waiting for years. The Government had issued new guidelines to encourage unregistered couples in adoption, he said, but added: "It is still a sad fact that many suitable couples have been on waiting lists for too long, while children have remained in care."

It had become "a matter of fashion" to move away from adoption, he said. In 1968, there were nearly 25,000 adoptions compared with fewer than 6,000 a year now.

Mr Straw's comments were, however, immediately attacked by adoption workers. Pam Hodgkin, manager of the West Midlands Post Adoption Services, said that removing a baby from its mother could be extremely damaging

for both parent and child.

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Trying to help, page 7

## I'm sorry about the little girls — kidnap case man

By ADRIAN LEE

A MAN accused of kidnapping and seriously assaulting two schoolgirls said yesterday that he was sorry for what had happened to them and wished that he could turn back the clock.

Alan Hopkinson, 45, of Langney, Eastbourne, made the statement through his solicitor after appearing at Hastings Magistrates' Court in East Sussex.

He was charged with ten offences: two each of child abduction, kidnapping and false imprisonment and four relating to serious assaults. The court was told that the girls, both aged ten, could not be named.

The former Rhodesian Army soldier and Bank of England worker said nothing during his five-minute appearance. He stared intently at the floor and nodded only to confirm his name and that he understood the terms of his remand. No application was

made for bail and he was remanded in custody for a week. He was also granted legal aid.

After the hearing, Mr Hopkinson's solicitor, Graeme White, made a statement from the steps of the court, saying: "He has asked me to say he is sorry for what happened to the little girls. I hasten to say that no specific admissions are being

made. He does hope that they can put matters behind them, given the passage of time, and he has asked me to say that he does wish that he could put the clock back. He wishes to express his remorse."

Mr White said that his client, who was arrested on Friday, was "depressed and upset" and had been prescribed sleeping tablets. "Obviously it had been a great shock to him to be brought to the police station and held for several days."

Mr Hopkinson, who wore grey trousers and a light grey jacket over a blue pullover, was brought to court from the neighbouring police station through an underground tunnel. Two police officers and two security guards were also in the packed courtroom. An order was made that no picture of Mr Hopkinson should be published.

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## Familiar old words mark passing of the age of consent

**M**any go into law of Parliament solely so that they can say "bugger" whenever they like, and before the Nine o'Clock watershed. The sketch lost count yesterday of how often the Home Secretary said it but as Jack Straw said "bugger" for the fifth time, I sensed an astonishing lack of interest.

Every now and then, an issue dies in the Commons. No death is announced, no obituary placed in *The Times*; indeed there is no corpse to

bury. The death is more subtle. One day you go into the Chamber and an issue is alive and kicking. Two opposing sides, confident of their cause, clash. Sparks fly.

Some months later you return to the same debate... and life has ebbed away. The arguments may be unchanged, but one side, now, is only going through the motions. They've given up. Nobody is so vulgar as to crow, but the winners and losers know who they are.

As a Parliamentary contro-

versy, Age of Consent is dead.

The dogs may bark but the circus has moved on. The concessions contained in the Sexual Offences Bill launched by the Home Secretary yesterday — measures to protect the vulnerable from those in charge of them — have swung it for reform. Once swung, the dead weight of "common sense" opinion among politicians is mighty hard to swing back.

How do we know that Age of Consent has died? MPs sense such things through

**MATTHEW PARRIS**  
POLITICAL SKETCH

their pores. Ask not what they are saying — everyone always says the same thing — but how they are saying it, and who is talking. To know the wind, focus not on Members who can change the wind, but those who are changed by the wind. Joe Ashton (Lab, Bassetlaw) is as persuasive a wind-

sock as you will find at Westminster.

If a tabloid newspaper

could speak, it would talk like

Joe Ashton. To get his mea-

sure, ponder the phrase "right-

minded folk". It is one of Mr

Ashton's favourites. In the

1980s, right-minded folk were

not campaigning to reduce

the age of consent from 21.

Now Mr Ashton supports the Bill.

He told MPs so yesterday.

"I'd like to thank the *Daily*

*Mail* and the *Express*," he re-

peated, proceeding to read out

an armful of newspaper clip-

pings about paedophiles and

their vile rings, "tuning in" to

the Internet. Shocking. But

the shock was routine.

Now, right-minded folk grit

their teeth and accept "equali-

ty" so long as there is statu-

tory protection for those at

school or in institutions. Mr

Ashton has urged just such a

measure. It is in the Bill. And

Ashton now supports the Bill. He told MPs so yesterday. "I'd like to thank the *Daily* *Mail* and the *Express*," he repeated, proceeding to read out an armful of newspaper clip-

pings about paedophiles and their vile rings, "tuning in" to the Internet. Shocking. But the shock was routine.

Otherwise there was little to

raise a cheer, an eyebrow or

even a smile. Gerald Howarth

(C, Aikenside), trying for the

cheer, achieved the smile. "You

simply cannot have it both

ways!" he cried, opposing the

Bill. Can't you? Some of his col-

leagues have proved otherwise.

WILLIAM CHERRY

### NEWS IN BRIEF

#### 20-year-old death case: OAP held

A pensioner has been arrested in connection with the murder of an unknown woman who was bludgeoned to death nearly 20 years ago. After DNA testing led to the reopening of the case.

Detectives from Kent travelled to the north of England yesterday in a renewed effort to establish the identity of the young woman, thought to be a hitchhiker or prostitute, whose body was found in Beddington Forest, near Goudhurst, in October 1979.

The case was re-opened in October last year after forensic tests were carried out on evidence stored since the 1979 inquiry. Two weeks ago a Kent lorry driver in his early seventies was arrested in connection with the murder and released on police bail.

#### Helicopter base

A new joint service helicopter command will be based at Weston in Wiltshire, the Ministry of Defence announced yesterday. The headquarters of the combined RAF, Army and Navy unit will control more than 350 helicopters at 10 air bases. It will have around 12,000 personnel and oversee a budget of £300 million.

#### Fee protest ends

Five Oxford students who were barred from university premises for refusing to pay their tuition fees said yesterday that they had decided to end their protest. Academics voted last week to suspend the four Somerville undergraduates and one from St Hilda's unless they ended their protest immediately.

#### Uniform reverse

A university has dropped plans to charge student nurses £100 each for the uniforms they must wear while training, after complaints from Frank Dobson, the Health Secretary. Kingston-upon-Thames University intended that 100 trainees should buy them out of their £5,300 annual bursary for living costs.

#### Collymore case

Stan Collymore, the Aston Villa footballer, admitted speeding at 82mph in a 40mph zone. He did not attend Birmingham Magistrates' Court because he was in club talks about his future. The bench is considering a driving ban and adjourned the hearing until February 8 for Collymore to attend. Under stress, page 49

#### Delayed justice

William Geary, 100 next month, was fired from British police after allegedly accepting a £100 bribe from the IRA over 70 years ago. After persistently lobbying successive governments for a review of his case, it has now been referred to the Department of Justice, Equality and Law Reform by the Prime Minister.

## MP compares gay laws to slave shame

BY JAMES LANDALE, POLITICAL CORRESPONDENT

A TORY MP last night compared equalising the age of consent for homosexual and heterosexual sex to giving women the vote.

Supporting the latest move to reduce the age of consent for homosexual sex to 16, Shaun Woodward (Witney) told the Commons: "I believe that historians will look back on this period of discrimination against young people with the same opprobrium that we now look back on those who sought to justify the slave trade."

Mr Woodward, a director of the charity Childline, said the issue was about "whether a relationship between human being and another should be a criminal act. This is not about urging young people to be promiscuous. It is not about anal intercourse. It is a debate about whether society should consider these people to be criminals at 16 just because of their sexuality."

He added: "As a Conservative, I believe in freedom and the rule of law. Why should the law intervene in the private affairs of citizens when it does no harm to others?"

The Sexual Offences (Amendment) Bill will equalise the age of consent at 16 in England, Scotland and Wales, and 17 in Northern Ireland. It

will also make it illegal for anyone over 18 to have sex with a 16 or 17-year-old over whom they are in a position of trust.

The protection was proposed by the Government after fears were expressed when the issue was last debated. The measures would protect those in full-time education, residential care, foster homes and secure accommodation, and hospitals. Those found guilty of the new offence could face two years in jail. *Codes of conduct* would protect the young in areas of the voluntary sector not covered by the Bill.

The measure is expected to pass easily through the Commons but to face fiercer opposition in the Lords. The last attempt to cut the age of legal homosexual sex through an amendment to the Crime and Disorder Bill last June was backed by the Commons by a 207 majority. The Lords defeated it by a majority of 168 after concerns were voiced about putting vulnerable young people at greater risk.

Opening the Second Reading debate, Jack Straw, the Home Secretary, said the age of consent must be equalised, because the discrimination was in breach of the European Convention on Human Rights. "This is not a question

of encouraging one lifestyle as against another or of encouraging young people to have sex," he said. "It is a question of equality before the law."

Mr Straw said the new "abuse of trust" offence was designed to protect the most vulnerable young people from adults where the relationship of trust was most strong.

Some MPs, including Donald Anderson (Lab, Swansea East), protested that the protective measures in the Bill did not go far enough and should include those looking after Scouts and Guides and holiday camps. "Why are you so timid and limited on this?" Mr Anderson asked Mr Straw.

Stuart Bell (Lab, Middlesbrough) asked Mr Straw to confirm that the Government did not plan to cut the age of consent to 14 or legalise homosexual marriages. Mr Straw replied: "We have no plans to bring forward legislation in respect to any of these issues."

Sir Norman Fowler, Shadow Home Secretary, said people did not take a prejudiced view of the issue but had concerns about whether the young might be at risk: "The majority would prefer this change not to be made. We should listen to the public and not move further to reduce the age of consent."

THE GOVERNMENT hinted at sanctions yesterday unless Northern Ireland's wave of punishment attacks were ended.

At meetings with the political representatives of the three main paramilitary groups, Mo Mowlam, the Northern Ireland Secretary, demanded the "arrogant, barbaric" attacks be halted. "There were suggestions about what she could do in the future if she chose," David Ervine, of the Progressive Unionist Party, acknowledged afterwards.

The Government is facing intense pressure to suspend terrorist prisoner releases until the attacks stop. The Tories have called a Commons debate on the issue to-

morrow and two senior Labour backbenchers, Harry Barnes and Frank Field, yesterday tabled a Commons motion saying the releases should be slowed "as a political sanction against an... organised regime of increasingly brutal intimidation".

Dr Mowlam said she would review the situation in a week or two if the attacks continued, but Tony Blair has admitted that halting prisoner releases could bring down the Good Friday peace accord.

Gerry Adams and Martin McGuinness refused to meet Dr Mowlam, claiming she had changed the original purpose of the meeting, and sent more junior members of Sinn Fein instead. Mr McGuinness said his party deplored "punishment attacks", but blamed the lack of a police service that nationalists could trust.

Relatives of IRA victims angrily confronted the families of eight IRA men killed on a bombing mission yesterday.

The republican families were leaving Stormont after a meeting with Adam Ingram, the Northern Ireland Security Minister, when the victims' relatives cried "shame" and "apologise" and held up posters.

## Beatings may prompt sanctions

BY MARTIN FLETCHER  
CHIEF IRELAND CORRESPONDENT

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## Pensions left £1bn short by computer troubles

BY DOMINIC KENNEDY

THE GOVERNMENT is sitting on nearly £1 billion which it has failed to pay to private and occupational pension schemes because of the bungled launch of a new computer system.

The problems with Europe's largest civilian computer system, which cost £140 million, are also forcing benefits to be calculated by guesswork for more than a million claimants, including pensioners, widows, unemployed and sick people.

The 160,000 new pensioners so far affected are losing an average £1.30 a week, although some are losing as much as £100 a week. Fewer than 15 per cent of Britons who invest in private or occupational pensions have had contributions paid promptly by the Department of Social Security.

When the computer crisis is resolved and the payments are finally made, savers will be offered compensation by the Government at an interest rate of 6 per cent a year. Pension companies argue that customers with schemes that in-

vest in the stock market could

have achieved a much better

rate of interest and will have

no chance to make up the dif-

ference.

Quentin Davies, Conservative social security spokesman, said: "Just paying the rebate with interest is not satisfactory. People must be put back in the position they had not made these mistakes."

The Contributions Agency has said that it will only pay compensation to people owed £100 or more. "This is grossly unfair," said David Kendall, Liberal Democrat social security spokesman. "For people who are living on or near the breadline, even a few pounds a week makes all the difference."

The National Audit Office said the computer system had been resolved. The computer switch began last July after three years' preparation. The supplier, Andersen Consulting, worked through the Christmas holiday with Contri-

butions Agency staff in New-

castle upon Tyne but failed to

clear the backlog. Andersen

Consulting has paid £3.7 mil-

lion compensation to the DSS.

Those with most to lose are

new claimants, including peo-

ple reaching pensionable age,

becoming unemployed or wid-

owed. Already 1.2 million peo-

ple on jobseeker's allowance,

374,000 on incapacity benefit

and 25,000 widows are affect-

ed. They cannot be sure of re-

ceiving the correct amount be-

cause their benefits are calcu-

lated on the basis of national

insurance paid, and many of

those payments are not yet on

the computer.

The Government has been

warned against introducing</

# Yemen wants to try London cleric

**Daniel McGroarty and Stephen Farrell** on Sanaa's frustration over Britain's perceived inaction

YEMEN yesterday asked Britain to extradite the extremist Muslim cleric, Sheikh Abu Hamza al Masri, whom it accuses of masterminding the kidnap of 16 Western tourists last month. Security chiefs in the capital Sanaa say that the controversial London-based religious leader is also behind a plot to blow up British targets in Aden.

The demand comes just days before five British Muslims are put on trial for their lives, accused of being behind the failed Christmas Day plot.

At least three of the Britons are said to have confessed that they were sent to Yemen by Sheikh Hamza, who preaches at the Finsbury Park mosque in North London.

The Egyptian cleric, who lost both his hands in Afghanistan, is also leader of the Supporters of Sharifah group, which advocates the rule of Islamic law and whose Internet web page offered military training and depicted a hand grenade.

Security sources in Yemen say he ordered the British Muslims to contact Abu Hasman, leader of the December 23 kidnap which led to the deaths

of three British tourists and an Australian, and received a satellite telephone call from Hasman during the abduction. In their confessions the men say Sheikh Hamza gave them \$2,000 (£1,250) to pay Abu Hasman for the weapons and their training at his terrorist base.

A security source in Sanaa said last night: "We believe Hamza is the mastermind behind both these terrorist operations. As the British police do not seem to be taking action against him we want to see him put on trial here." They claim to have "irrefutable evidence" linking Sheikh Hamza to the kidnap and the bomb plot. Scotland Yard is still investigating Hamza's alleged involvement.

Yesterday, Ali Abdullah Saleh, the Yemeni President, gave Vic Henderson, the British Ambassador, a message for Tony Blair, asking that Sheikh Hamza be handed over. The official news agency SABA said the letter called for Sheikh Hamza's extradition "for committing acts of terrorism and sabotage in Yemen and in a number of Arab countries".

The agency added: "The letter expresses the discontent of the Yemeni Government with the terrorist activities led by the terrorist Abu Hamza al Masri and other people from British territory."

Sheikh Hamza last night dismissed the extradition request, saying he would not receive a fair trial, criticised Yemen's human rights record and claimed the arrested Britons were tortured into making their confessions.

He insisted he had no involvement with terrorism in Yemen and claimed the same rights to freedom of speech as Salman Rushdie, pointing out that the author was granted protection when he caused offence to Muslims with *The Satanic Verses*. "If you are talk-

ing about the truth as terrorism I cannot deny that, but if you class sending people for terrorist activities then I had nothing to do with it," he said.

Salman Rushdie's words sicken your heart and my words are ugly in your ears, but my words are the truth and his are false."

Although Yemen has no extradition agreement with Britain, the Home Office said last night that an ad hoc request would be considered in the same way as any other. However, a spokesman refused to discuss whether an application had been received, saying "we neither confirm nor deny extradition requests".

Among those arrested in Aden were Sheikh Hamza's stepson, Mohsen Ghallan, and an Algerian who is engaged to his sister. His 17-year-old son, Mohamed Kamal Mustapha, is still on the run.

The men's lawyer, Salim Basmaid, will complain about their treatment when they appear in court tomorrow. Their appearance in court comes after pressure from Whitehall for the Prosecutor General in Yemen to speed up their trial.



Sheikh Hamza outside the American Embassy in London in August after US aircraft bombed sites in Sudan

## £50 watch helped thieves steal cars worth £350,000

BY MICHAEL HARVEY

A THIEF used a wristwatch to steal dozens of luxury cars after discovering it could unlock doors and switch off alarms, a court was told yesterday.

Sajjad Aslam used the £50 Casio watch, a programmable remote control for television sets and video recorders, to crack the codes on car key fobs. After programming the infra-red frequencies into his watch during test drives at car shows, he sent accomplices to steal the vehicles.

Aslam, 29, masterminded a lucrative car-jacking racket for two years. He and his gang gave the stolen cars new identities and sold them through agents across Britain.

Previous owners' names in the false registration documents included the snooker star Steve Davis, the cricketer Wasim Akram and Alexander O'Neal, the soul singer. Police believe vehicles worth at least £350,000 were stolen, doctored and sold on. Makes included Mitsubishi, Shogun, Toyota, Nissan and Rover.

Yesterday, Aslam, from Stockport, was sentenced to four and a half years in jail after pleading guilty to masterminding the racket. Six accomplices admitted conspiracy to

steal and were jailed for periods ranging from nine months to two years.

The racket was discovered when police arrested one of the accomplices, Biny Amin, 32. He refused to take off his watch and suspicious officers sent it for testing: experts found the car codes.

Detective Constable Ian O'Connell, who led the inquiry, said watches like the CMD40 could be bought in any High Street. "These watches may be the sort of hi-tech items that 007 gets from Q in the James Bond movies but the fact is that they are very real and millions of cars are at risk of being stolen."

He added: "I have worked on car crime for eight years and have never seen anything like this."

A spokeswoman for Casio insisted the CMD40 could not be used to "grab" infra-red codes without the key owner's knowledge because the watch had to be placed within a few centimetres of the key fob. "We feel satisfied that the CMD40 presents no increased ability for car thieves," she said.

However, the AA said several million cars, mostly built before 1995, were potential victims to programmable remote controls.

## Judge criticises parents for protecting paedophile head

BY JOHN O'LEARY, EDUCATION EDITOR

A JUDGE accused parents at a leading preparatory school yesterday of "ignoring signs" that the headmaster was a "fixated paedophile" because their main interest was the school's academic results, and some were enjoying fee discounts.

They rejected "wealth of evidence", said Judge John Wraith, who chaired an Independent Schools Tribunal into 13 complaints against Robin Lindsay, the headmaster and proprietor of Sherborne Preparatory School in Dorset. The three-strong panel unanimously ordered that Mr Lindsay, in spite of "serious and numerous concerns" expressed by inspectors, and considerate traits such as walking around the school in pyjamas and an obsessive interest in

Department for Education and Employment and Mr Lindsay's professional association for failing to take action more quickly. The first investigation into allegations of "inappropriate behaviour" took place in 1985 but an official notice of complaint was not served until last year.

The judge's most serious criticism was directed at the parents, who were said to have obstructed successive police and social services inquiries. Many continue to support Mr Lindsay, in spite of "serious and numerous concerns" expressed by inspectors, and considerate traits such as walking around the school in pyjamas and an obsessive interest in

boys' physical development as merely eccentric.

Judge Wraith said: "The parents choose to ignore the wealth of evidence to the appellants unacceptable behaviour and grave shortcomings and cling to the perception that he was no more than eccentric."

"Furthermore, in many cases they did not want to look too closely. The school was achieving the academic successes the parents were looking for and a number of them were enjoying substantial reductions in fees."

In Mr Lindsay's final year Sherborne had 41 boarders, whose fees were more than £8,000 a year, and 10 day pupils. Mr Lindsay, who is now

70 and was headmaster for 26 years, withdrew his appeal against disqualification, waiving his right to contest the allegations. The complaints included charges of maladministration and regular lateness or absence from lessons.

The tribunal found that there was insufficient evidence to uphold three complaints of sexual assault made by former pupils. It did, however, accept the view of a forensic psychiatrist that Mr Lindsay was a "fixated paedophile".

Be Greene, who had two children at the school between 1981 and 1986, said: "The judge's comments are infuriating. How dare he suggest that we turned a blind eye?"

## Ex-soldier puts the boot in for army footwear

BY SUSIE STEINER AND ELIZABETH JUDGE

A FORMER soldier is demanding compensation from the Ministry of Defence because he says that training in heavy combat boots caused permanent disability in his legs.

Christopher Hossack, 32, accused the MoD yesterday of negligence in letting him wear the boots for long-distance running. He says he was medically discharged from the Army and unable to earn a living.

He admitted his client suffered from flat feet. "We say that may have contributed to the problem but was not the source of the trouble."

Michael Curwen, for Mr Hossack, said: "Mr Hossack's case about the boot is not that it was entirely unsuitable for army use but simply it was not appropriate for as much running as he was required to do in it."

Mr Hossack, from Sunderland, joined the Royal Regiment of Fusiliers in 1985 and took part in military training that involved running on Tarzan. He says he experienced pain in his ankles within a few weeks but put it down to his boot being new. Five months later he was given the highest fitness ranking possible and in 1988 was asked to join the battalion boxing team, which increased the intensity of his

training. After an operation in 1993 Mr Hossack was discharged in September 1994. He worked for a while as a lorry driver but has lived on incapacity benefit since 1997.

Mr Curwen said: "Mr Hossack has a crippling condition. He can't run at all, can't walk for more than a couple of hundred yards before feeling pain and he can't stand on his feet for any length of time."

He admitted his client suffered from flat feet. "We say that may have contributed to the problem but was not the source of the trouble."

Mr Hossack is suing the MoD for £400,000. The case continues.



Hossack told court he is unable to earn a living

## Pupil and teacher 'had sex at school'

BY ADAM FRESCO

A WOMAN told yesterday how she became lovers with her history teacher when she was a "besotted" 14-year-old. The former pupil, now 28, said that she and Daniel Angadi had sex on school premises and that he took topless pictures of her when she was a pupil at an independent girls' school in London. "I was desperately in love," she said.

Twice-married Mr Angadi, from Leytonstone, East London, denies five charges of indecent assault in 1985 and 1986. Su-

san Tapping, for the prosecution, said that although the charges were indecent assault they involved full intercourse.

The former pupil told Southwark Crown Court that the relationship developed after a school play which was written by Mr Angadi. Her mother, a single parent, was concerned about her progress at school and encouraged her to get extra help from Mr Angadi.

He became a close friend of her and her mother before the start of the sexual relationship, which ended in 1990. The woman said that she blurted out what

had happened between the two of them to her former English teacher at a school function last year.

Under cross-examination she admitted that she had felt "jealousy and rage" when she learned that Mr Angadi had started an affair with another woman while she was at university. She denied that she had made the allegations only because she was upset to learn at the function that he was happily married.

Mr Angadi says that the sexual relationship began only after she had left school. The trial continues.

## Hitting circus animals does them no harm, says Chipperfield

BY HELEN JOHNSTONE

MARY CHIPPERFIELD, a prominent member of the world-famous circus family, yesterday told a court that kicking and hitting animals was not cruel.

Ms Chipperfield, seeking to justify hitting a crying baby chimpanzee because it refused to go to bed, said that inflicting pain did not necessarily harm animals. Ms Chipperfield, 61, denies 21 charges relating to animal cruelty and neglect, and said that she would do the same again.

Ms Chipperfield told Andover Magistrates' Court that she "really care about animals, but that kick-

ing a dog that was lying in the way or a chimpanzee that would not do as she wanted was acceptable."

Her husband, Roger Cawley, 64, a government zoo inspector, admitted flouting the rules he was appointed to enforce. Mr Cawley, who denies seven charges of cruelty and neglect, admitted under cross-examination that elephants at his farm had been shackled for 24 hours a day on several occasions.

Mr Cawley said that he had had the elephants shackled because "we were having staff problems and we didn't want to make staff work extra-long hours on Christmas Day". "I didn't think leaving them shack-

led would cause them unnecessary suffering," he said.

Both Ms Chipperfield, who appeared in court under her married name, Mary Cawley, and her husband admitted knowing that one of their keepers, who was recently sentenced to four months' imprisonment for cruelty to elephants, had previously been imprisoned for manslaughter.

Earlier, in evidence at the start of the second week of the trial, Ms Chipperfield said a change in the public perception of circuses had prompted her father, Jimmy, to reconsider what was good for animals and promote the freer environment

of wildlife parks by introducing the concept at Longleat in Wiltshire.

Ms Chipperfield told the court that she now did little animal training, concentrating instead on animal dealing. She said that during her career she had worked with more than 60 keepers, and that the things they had complained about most was the harsh way she treated people.

Asked about her approach to the welfare of animals in her charge, Ms Chipperfield said she had bottle-fed chimpanzees, lions, tigers and hippopotami in her home. She said that she had personally fed Trudi, the chimpanzee she is accused of

treating cruelly, hourly after it was nearly killed by an adult chimpanzee.

Trudi was later transferred to a cage where, Ms Chipperfield admitted, it spent 15 hours overnight in a darkened box.

Ms Chipperfield said that by the time chimpanzees were a year old, they had developed fangs, and that both she and her daughter had permanent scars after being bitten by them in the past.

Ms Chipperfield, who brought to court the sticks and whips she was seen using on several animals in a secretly filmed video, said that she suffered from arthritis and could

not use much force when wielding them. She admitted hitting the chimpanzee after it bit her finger.

"I gave her a couple of sharp ones. She would have felt them but they could not possibly have harmed her," she said. Asked to elaborate, she said that it was all right to cause pain when it did not do harm.

Charles Gabb, for the prosecution, told her: "You are master of all the animals in your kingdom. They will do as you say when you say. If they don't they will be beaten."

Ms Chipperfield replied: "Not beaten." Asked how she would describe their treatment, she replied: "Touched." The trial continues.

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# Police concede fire death was racist attack

**Stewart Tendler** on a case first treated as suicide

**MICHAEL MENSON**, the black musician who died after being found on fire in the street two years ago, was the victim of a racist gang linked to a series of such attacks, police said yesterday. They had originally treated his death as suicide.

John Grieve, the Deputy Assistant Commissioner heading Scotland Yard's Race and Violence Crime Task Force, said detectives were hunting three or four attackers involved in setting fire to Mr Menson in Edmonton, North London. He appealed to any of them who might have stood back or been appalled by the attack and not taken part to come forward.

Mr Menson, a 30-year-old rock musician with a history of mental illness, was found naked and severely burnt early on the morning of January 28, 1997. He maintained before he died 16 days later that he had been attacked in a racist incident.



Deputy Assistant Commissioner John Grieve appeals for witnesses to the murder two years ago of Michael Menson, supported at Scotland Yard by, left to right, Sam, Essie, Kweisi and Chris Menson.

28, 1997. He maintained before he died 16 days later that he had been attacked in a racist incident.

Last year, an inquest jury returned a verdict of unlawful killing on Mr Menson after police had been criticised for their

handling of the investigation.

Scotland Yard agreed to reopen the case and, in December, Mr Grieve said it was being treated as a possible racist attack.

Yesterday, supported by the

dead man's brothers and sis-

ters, he appealed to the public for help. Mr Grieve said police knew there were other attacks that had not been reported and urged the victims to come forward. He asked if anyone had been racially abused and set on fire by the gang. He

wanted to know if there were people who had been threatened with being set alight as they travelled on buses or had been confronted with a cigarette lighter.

Two people have called the

police anonymously and Essie

Menson, Mr Menson's sister, urged them to telephone again. Mr Grieve said police knew that people had talked about the murder. Race crime was, he said, "a brag crime".

In an attempt to uncover wit-

nesses to the attack on Mr Menson, he also called on people to come forward who might have been involved in minor crime in the area at the time of the murder and had seen something. Many people had been using telephone boxes close to the murder scene.

Mr Grieve said Mr Menson met his killers by ill chance. He had taken the wrong bus and met them on the bus, or at the end of the route. He asked if anyone else had been threatened on the bus, a W6, that night.



## Right of secrecy for sex abuser is upheld

By FRANCES GIBB, LEGAL CORRESPONDENT

THE right of known sex abusers to keep their past secret — as long as they have no criminal convictions — has been upheld by the House of Lords. Five law lords have backed a ruling by the Court of Appeal last October that if a sex abuser moved from one local authority area to another, details of his past could not be passed on.

The law lords refused to give leave to the London Borough of Croydon to challenge the Court of Appeal ruling that the sex abuser involved was entitled to anonymity because he had not been convicted in a criminal court.

He had been found guilty of sexual abuse in care proceedings, where there is a lower standard of proof — "on a balance of probabilities" rather than the criminal test of "beyond reasonable doubt".

The move comes as the Government has pledged to give child care organisations details of past records of job applicants in an attempt to stop sex offenders from applying to work with children.

Last October the Court of Appeal overturned a High Court ruling that if a known sex abuser moved on, then such details could be passed on as a means of protecting children in the area.

The man, aged 37, had been acquitted by a criminal court of attempted rape but in subsequent care proceedings a judge found he had abused three children in his care. He has since moved to a new area.

## Ashworth informer rebukes Dobson

By MARK HENDERSON

THE patient who revealed the paedophilia and pornography scandal at Ashworth special hospital yesterday criticised Frank Dobson for refusing to close the secure unit as recommended by a public inquiry.

Steven Daggett, who absconded from Ashworth in 1996 to draw attention to its failings, says in a letter to *The Times* that the Health Secretary "had decided to abrogate his political responsibilities" by ordering a security review instead of closure.

Writing from Rampion special hospital in Nottinghamshire, where he is now held, Daggett says that he is "deeply disappointed" by the missed opportunity for reforming a discredited system.

The inquiry, chaired by Peter Fallon, QC, a retired judge, this month advised Mr Dobson to close Ashworth on Merseyside as soon as possible. Senior staff had let an eight-year-old girl play unsupervised with child sex offenders and had permitted a trade in drugs and pornography.

Daggett, 38, from Skipton, North Yorkshire, who was convicted in 1988 of three sexual assaults on girls, urges Mr Dobson to accept the inquiry's findings that small, regional secure units should replace the unwieldy special hospitals.

He says that the Health Secretary "has entirely misjudged" the crisis within the high-security hospital system and that his decision "may ultimately result in harm".

Letters, page 19

## Drug smugglers face prisons ban

By STEWART TENDLER, CRIME CORRESPONDENT

JACK STRAW yesterday announced automatic bans on visitors who smuggled drugs into jail, despite opposition from prison governors and reformers.

The Home Secretary said that, from April, visitors caught with drugs would face a ban of at least three months. When visits resumed, they would be subject to security controls and prisoners who had previously been found with drugs would face regular drug tests and searches.

Last year 1,090 visitors were caught smuggling. Mr Straw said that drug use led to "gangsterism, intimidation, bullying and criminality in prison when we are trying to eradicate criminality".

However, governors said

that it was better for prisons to refuse visitors to police. Chris Scott, the president of the Prison Governors' Association, said that prisons already had the power to ban visitors, and that automatic bans could cause further problems by preventing inmates from seeing their children.

Paul Cavardino, the policy director of the National Association for the Care and Rehabilitation of Offenders, said that the crackdown could be unfair to prisoners' wives and girlfriends, who were forced by dealers to smuggle drugs against their will.

The Prison Service said that visitors found with drugs would continue to be reported to the police and would face possession charges.

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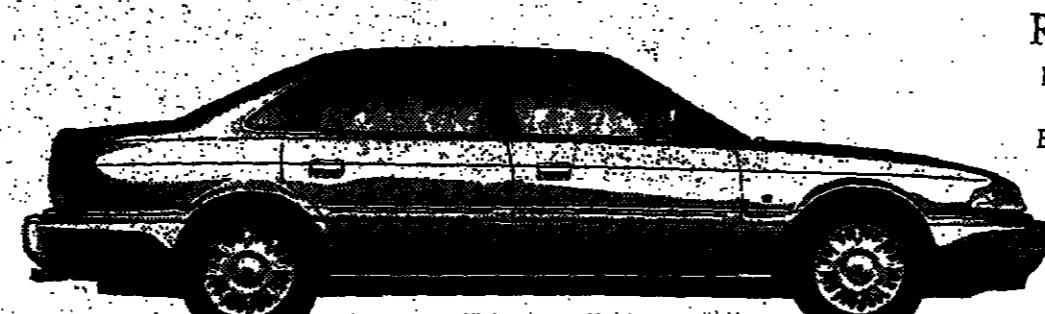
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# Trying to help children of the revolution

Alexandra Frean looks at the social changes that have led to a new plan for unmarried mothers

IN THE early 1960s, when abortion was illegal, the children of unmarried teenage mothers were routinely taken away by social workers and given up for adoption. Within the space of two generations, unmarried motherhood is far more common and social workers are legally bound to prevent children having to be looked after away from their natural families.

The figures expose a revolution in social attitudes towards birth and marriage. In 1975, 9 per cent of all live births were outside marriage. The figure had risen to 23 per cent by 1985 and 37 per cent by 1997.

Among teenagers, the rates are even higher, putting Britain at the top of any league table.

Although the advent of the Pill has meant a decline in the overall number of babies born to teenagers - from 63,500 in 1975 to 41,900 in 1995 - the percentage of those births taking place outside marriage has soared. In 1975, 32 per cent of births to women aged under 20 were to unmarried mothers. This had risen to 89 per cent by 1997 - nearly nine out of every ten teenage births. At the

same time there has been a massive fall in adoptions. In 1968, at its peak, nearly 25,000 babies were adopted in Britain. Today the figure is closer to 6,000. In a recent study of teenage mothers, conducted by the Policy Studies Institute, one pregnant young woman summed up the feelings of many of her peers when she said she would rather have a termination than consider giving her baby away.

Partly as a result of these changes, there are now 1.6 million single-parent families in Britain, with a total of 2.8 million dependent children, up from 570,000 one-parent families and one million children in 1971. These dramatic shifts in public attitude have profound implications for policy and the public purse.

Although reluctant to stigmatise single mothers, the Government is becoming increasingly concerned that, in allowing these trends to continue unchecked, it may be sowing the seeds of intractable social problems for years to come. Reluctant to alienate Cabinet supporters who see lone-parent families as an acceptable alternative lifestyle, the Prime Minister has chosen to tackle the problem by enticing more single mothers off benefits and into the workplace.

Given that a lone parent with one child under the age of 11 gets housing and other benefits worth £134 per week, and that there is a considerable body of evidence to show that children of working parents

perform better at school, it is seen by many as the policy line of least resistance.

The introduction of the working-family tax credit and a new childcare allowance means that the lone parent of one child under 11 would now be able to boost her income by £57 a week if she took a full-time (35-hour) job at the minimum wage of £3.60 an hour - enough to make a considerable difference to her child's lifestyle.

In addition to this incentive, single parents will now be asked to show up for compulsory interviews at jobcentres before they can claim benefit, but with no loss of benefit if they fail to attend. There they will get one-to-one help from a personal adviser to find work and top up their pay with the appropriate benefits and tax credits.

None of this, however, will succeed unless the Government can also improve access to high-quality, low-cost childcare. To this end it has launched a National Childcare Strategy, which is aiming to create one million extra day-care places for children aged 4 to 14.

## Judge halts porn film blackmail hearing

By PAUL WILKINSON

A MAN accused of extorting almost £500,000 from a retired bank manager who bought a set of pornographic videos more than 20 years ago was cleared yesterday after a judge described the alleged victim's evidence as "inconsistent and unreliable".

During the eight-day trial, Brian Crossing was said to have used threats of exposure to force Mr X to hand over pension pay-outs, sell and remortgage his homes and even borrow from friends.

The case at Newcastle Crown Court collapsed when Mr X said in evidence: "He didn't blackmail me as such, there was never any threat." He said that he had felt sorry for Mr Crossing, who had told him of a family tragedy.

Mr Crossing, 40, from Roodmoor, Durham, denied blackmailing Mr X and demanding £449,500 between 1972 and July 1997.

Mr X said: "I took pity on him. Mr Crossing had a daughter who died. He was very depressed when it happened. She was about three and died from meningitis. He poured his heart out to me and asked me for some money. I felt sorry for him. He did not threaten me."

Judge David Wood told the jury: "There is no case against this defendant. Mr X's evidence was so inconsistent and unreliable that no jury could convict."

## CJD victim's family wins verdict of misadventure

One meal of beef may have led to death, reports Simon de Bruxelles

A SINGLE meal of beef may have been responsible for the death of the first known victim of the human brain disorder linked to "mad cow" disease, an inquest was told yesterday.

The family of Stephen Churchill, who died aged 19 in 1995, told the inquest in Wiltshire of his descent from typical schoolboy to shambling wreck. They had fought for 3½ years for the right to an inquest into his death from the condition that has since come known as new-variant Creutzfeldt-Jakob disease, after "natural causes" was originally recorded as the reason for the disorder.

Dr James Ironside of the CJD surveillance unit at the University of Edinburgh, told the inquest that the schoolboy had almost certainly contracted the disease from eating sausages or burgers containing infected beef.

The West Wiltshire Coroner, David Masters, who recorded a verdict of misadventure, said: "On the balance of probabilities the route of transmission is due to the random

consumption of a meat product infected with BSE. It can be, and probably was, just one random consumption."

Since Stephen's death, 35 people have died of new-variant CJD and a further eight cases have been confirmed.

As the verdict came in, Stephen's mother Dot collapsed in tears. She was comforted by her husband David and daughter Helen. Mr Churchill said later: "It is quite a terrifying thought that one single meal could create such a dreadful disease in one person and randomly affect the rest of the population."

His wife added: "When the coroner said 'misadventure' it was like saying that Stephen should never have died. It brings it home that this disease was man-made. It should never have happened. There are so many young people dying from this and it is tragic."

Stephen, from Devizes, in Wiltshire, was a normal teenager with an impressive academic record and an ambition to become an RAF fighter pilot when he first began to show symptoms of brain dis-

ease. At first the symptoms were mild and attributed to depression. Stephen did surprisingly badly in his mock A levels and left the Air Cadets.

Then in August 1994 he nearly died in his mother's car when he found himself inexplicably driving on the wrong side of the road. Soon Ste-

phen's co-ordination and memory began to fail and he was suffering frightening hallucinations. He became a virtual recluse, emerging only reluctantly from his bedroom.

Tests that he had in hospital suggested a degenerative brain disorder and his parents were told his condition was in-

curable. He was admitted to a nursing home, where he died in May 1995. Mrs Churchill said that it had crossed her mind that his illness resembled BSE, the then-mysterious infection killing cattle.

She said: "I did say to my husband that it might be related to BSE because you see the

cows staggering but we dismissed it as a stupid thought."

"We had a varied diet. One of [Stephen's] favourite foods was sausage. He did have burgers and spaghetti bolognese, all the foods everybody ate during the 1980s." Last year the Churchills gave evidence to the Government's BSE inquiry.

## Tributes to the man who saved the Mail

THE late Viscount Rothermere, proprietor of the *Daily Mail*, was interested not only in history, newspapers and beautiful women, but also in reincarnation, the congregation at his memorial service in Westminster Abbey was told yesterday.

One of his editors, facing falling circulation but emboldened by drink, asked his boss if he was not worried that he might reappear in his next life as a roadsweeper. Lord Rothermere immediately fielded the question: was the editor not worried that he himself might end up as a roadsweeper in his present life?

More than 1,100 people, led by Tony and Cherie Blair, William and Fion Hague and Sir Denis and Baroness Thatcher, filed the abbey to hear Paul Dacre, Editor-in-Chief of the *Mail*, describe his former chairman as the greatest newspaper proprietor of his age.

After inheriting the dying newspaper 27 years ago, Mr Dacre said, Lord Rothermere had not only rescued it by realising that there was a vast untapped market of emancipated women readers, he had also turned its owner, Associated Newspapers, into a major media empire.

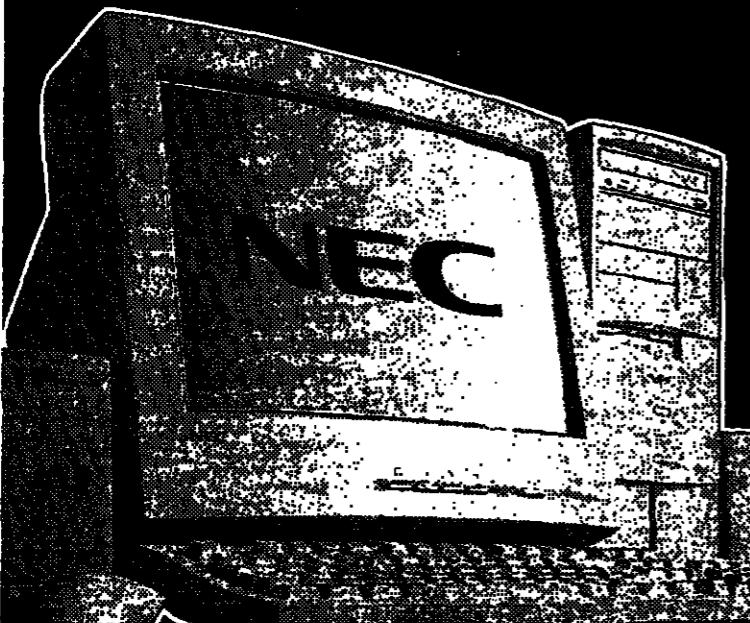
"He possessed rare alchemy of contradictory talents - a brilliant business mind and a talent for understanding the creative process of newspapers," Mr Dacre said.

Memorial service, page 20



Stephen Churchill with his mother Dorothy, father David and sister Helen. He died, aged 19, in 1995

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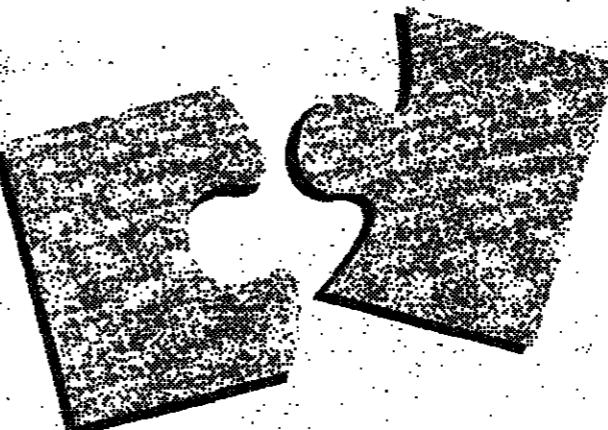


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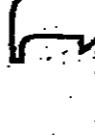
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# Lecturer's lone bypass stand angers locals

By SIMON DE BRUXELLES

A LECTURER who gave up home and career to be an anti-roads protester was yesterday single-handedly blocking the last stage of a new bypass.

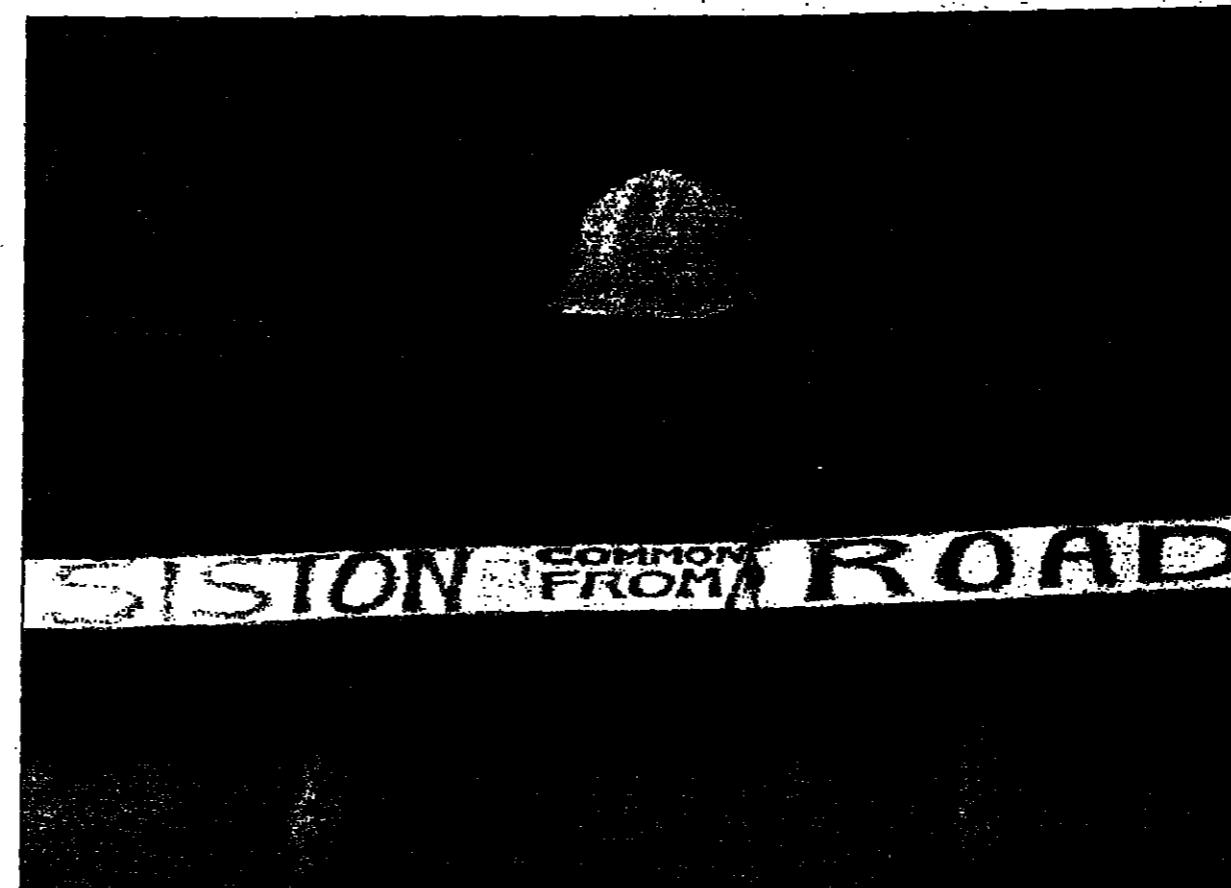
Margaret Jones, who will be 50 on Saturday, is holed up in a derelict warehouse, the only remaining member of a group who broke in two weeks ago and declared "squatters' rights". Swathed in damp blankets and yelling through a hole in the roof, Dr Jones said yesterday: "It was not a huge step for me to do this. Politics has always been in me and I am doing it because I believe in it."

Two years ago she was a lecturer in American literature at the University of the West of England in Bristol, with a house in the suburbs. She gave up her job in 1997 to devote herself to environmental protest. Two weeks ago Dr

Jones, who is single and does not have children, cut her final ties to her old life when she sold the house.

Eight protesters broke into the warehouse in Warmley, near Bristol, two weeks ago in an attempt to stop the Avon Ring Road scheme. Seven of them went out for provisions shortly afterwards and were unable to return after contractors blocked their path. Now Dr Jones remains alone, behind the fencing and security guards, supplied through the wire by supporters.

The ring road stretches ten miles around the eastern fringes of the city. South Gloucestershire council had been due to start work on the final stretch in 1993, but two campaigners, Barry McNeeney and Andrew Nicolson, conducted a legal challenge that delayed it for five years. The cost of the



Hard-headed: Margaret Jones, who has given up her university job to block the progress of the Avon Ring Road

project rose by £3 million and the two men's £100,000 bill was met through legal aid. The House of Lords threw out their case last April and £4 million was allocated to keep protesters away from the construction site at Siston.

Dr Jones's stand has angered locals who want the bypass completed to keep traffic away from residential streets.

On Sunday, residents turned up to protest at the delays.

John Hunt, a Labour councillor and spokesman on planning and transport, said: "I object to these self-appointed people [the campaigners] who try to impose their point of view on the masses. I know I speak for the vast majority of locals who have suffered years of misery with relentless traffic and noise. I could possibly understand if this was a new

road, but all we are trying to do is complete an existing one. They are not from around here and they do not have the support of local people."

Dr Jones says she has been an eco-warrior "in spirit" since

gaining an eviction order through the courts. Dr Jones's involvement in "direct action" protests has landed her in court in the past, and she is becoming something of a legend among fellow protesters. Rowland

Dye, of Stop the Avon Ring Road, said: "Margaret is a remarkable woman and we all have tremendous respect for her." On Saturday they will attempt to smuggle in a birthday cake.

## Boy found hanging after row over mess

By PAUL WILKINSON

A BOY was found hanging by his England football scarf soon after arguing with his parents about his messy bedroom.

Adam Firth, 12, went to his room after being told off for not tidying it by his mother Julie, and father Rob. They later found him hanging from his bunk bed.

Adam was a pupil at Bally Can school, Doncaster. A spokesman said that teachers had noticed 1,500 pupils of the death. Adam was a model pupil, very friendly and well-mannered. There had been no indication that anything was wrong, the spokesman said.

Detective Inspector Dick Venables, of South Yorkshire Police, said: "It would appear he had a minor dispute with his parents regarding the state of his bedroom. These are tragic circumstances and an inquest will be opened to look into what exactly happened."

Mr and Mrs Firth, who are believed to have another son and a daughter, were too upset to comment.

## Grieving isle advertises for young family

By SHIRLEY ENGLISH, SCOTLAND CORRESPONDENT

THE Hebridean isle of Iona is advertising for a family to move there after a boating accident wiped out almost all its young men.

A house, described as having B&B potential and previously occupied by one of the four victims, has been advertised to let, but only families with young children have been asked to apply.

As is the case on most remote Scottish islands, Iona's population has been shrinking steadily over recent years but the accident in December has heightened the impact. The population stands at 102, of which 40 per cent are more than 60 years old.

There is one baby on the island and the primary school's four pupils are due to move in the summer to Oban High School on the mainland. Unless there is an influx of youngsters, islanders fear that the primary school may close.

Evelyn MacPhail, an Iona community councillor, said: "There are no other children of school age and if the school closed it would be another blow to the community."

"It would also make it more difficult to attract newcomers without a school. All those

who died in the boating accident may well have set up their own homes on the island and had families of their own. It is a very depressed island at the moment."

The four men were returning home from a Christmas dinner-dance on the island of Mull in the early hours of December 13 when their wooden dingy was swamped by a wave during the one-mile crossing.

They were Alasdair Dougall, 19, David Kirkpatrick, 23, both fishermen, Logie MacFadyen, 24, a farmer, and Robert Hay, 23, a tour boat operator. Their friend, Gordon Grant, 33, who also runs a tour boat, managed to swim ashore. The bodies were recovered earlier this month.

Gordon Grant senior, the father of the survivor, said: "There just aren't enough jobs on the island and housing is a problem. The only work we have is through tourism during the summer and many of the houses here are rented out as holiday homes."

A spokesman for Argyll and Bute District Council said the future of the school would be discussed at the next education committee meeting.

## Euro vote hope for caged hens

By MICHAEL HORNBY

UP TO eight million hens arrive at slaughterhouses every year in Britain with broken bones, it is claimed today.

The battery cages in which most egg-laying birds are reared make bones brittle because hens are denied exercise, according to Compassion in World Farming.

The publication of the report comes on the eve of a vote in the European Parliament on the future of battery cages. In Britain alone some 30 million hens, about 85 per cent of the flock, are kept in cages.

The report says that brittle bones due to osteoporosis are common in caged hens, with one study finding that all birds were osteoporotic after a year of confinement. Philip Lymbery, the charity's campaigns director, said: "We urge Europe's politicians to ensure that breakfast in the new millennium involves breaking a free-range egg."

European MPs will vote on a proposal to increase minimum floor space per bird from 450 sq cm (less than a side of A4 paper) to 800 sq cm.

## CORRECTION

A report (Media, January 22) wrongly quoted Stuart Smith who, together with Victoria Greenham, hosted Channel 4 into making a documentary about them, as saying, "I get a high out of it and it keeps me off drugs". In fact Mr Smith said "It's like being on a constant high but without drugs. The highs, for which we apologise, arose from wrong information supplied by Channel 4."

## Wild boars 'should be eradicated'

By NICK NUTTALL  
ENVIRONMENT CORRESPONDENT

BRITAIN'S wild boars should be eradicated because of the risk they pose to wildlife and public safety, conservation experts said yesterday.

The Game Conservancy Trust, which advises the Government on countryside issues, said there would be a growing risk of people being injured or killed if boars were left to breed unchecked.

The trust also gave warning that the animals could damage crops, kill lambs and ground-nesting birds and pass on diseases to free-range pigs. Up to 300 wild boars are at large in Kent, East Sussex and Dorset after escaping from commercial farms. Each female can produce two litters of up to nine piglets each year.

The trust's recommendations came in response to a Ministry of Agriculture, Fisheries and Food consultation document published last year.

Dr Stephen Tapper, who wrote the trust's *Wild Boar Consultation Report*, said yesterday: "It would be irresponsible to do nothing ... These populations will increase and could get out of hand." He said that trained marksmen should be hired to eradicate the animals, and that tighter controls should be imposed on farms.

Keith Taylor, of the Wild Boar Association, supported the trust's call for eradication. A spokesman for the ministry said that the trust's report echoed recommendations made by the Central Science Laboratory, and that eradication was one option that ministers were studying.

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# I'm no monster, says Sainsbury

LORD SAINSBURY of Turville, the Minister for Science under attack over his links to research into genetically modified food, hit back at the Tories yesterday by calling them an "anti-business" party.

The Labour peer, who was until 1997 the chairman of the Sainsbury's chain of supermarkets, had been accused of funding experiments in food through a private charitable trust. He claimed the alleged "blatant conflict of interest" was impossible as his personal fortune — estimated at £2 billion — was controlled by a blind trust over whose decisions which he had no say.

The Tories had claimed that Lord Sainsbury had channeled money from the Gatsby Charitable Foundation, which the peer had set up in 1987, to the Sainsbury Laboratory in Norwich to experiment in genetically modified food. The foundation directs £20 million a year to worthy causes.

They also claimed that Lord Sainsbury's position on a Cabinet committee dealing with gene foods policy was a conflict of interest. Lord Sainsbury said: "What the Sainsbury Laboratory does is fundamental research into disease resistance in plants. It isn't re-

**Mark Inglefield finds the minister accused over 'Frankenstein foods' ready to rebut the scaremongers**

mote of value to Sainsbury's. That would conflict with charity law and a charity cannot personally benefit in any way a person who gives it money."

Lord Sainsbury, 59, would appear to be a very useful person to have in Government. Besides his business expertise, he is passionate about his brief — he even held his last wedding anniversary in the Science Museum — and he is reported to have given new Labour £3 million. But have the accusations that he is in a position to bene-

points the trustees of the Gatsby foundation, but has a small say in where the money goes.

Lord Sainsbury joined the Labour Party after leaving Cambridge, but as the party drifted further to the Left in the 1970s he saw the need for a radical rethink. He joined the SDP in the 1980s. After it merged with the Liberals he devoted his time to Sainsbury's, resurfacing when Tony Blair became Labour leader.

He insists he is no bandwagon jumper. "I wrote a Fabian pamphlet in the late 1970s called *Government and Industry: a New Partnership* and basically that was new Labour before its time."

"Were you or have you ever been a Socialist?"

"Um, I've always been a member of the Labour Party," he says, again smiling.

Lord Sainsbury insists that he would stand aside if he ever felt there was a genuine conflict of interest. "I think it's very important that there aren't conflicts of interest in Government, but having said that I think it's very important that business people do come into politics," he says. He believes the Tories' point-scoring is further proof they are out of touch with modern commerce.

**"I think it is rather a shame that the Tories are becoming an anti-business party"**

fit from pushing the Government into allowing "Frankenstein foods" on to supermarket shelves ever made him feel like throwing in the towel?

"Not really," he says. "It's

possible area where it might come up is the Cabinet committee, which covers the whole of biotechnology. The committee has only met once and it didn't come up then." He still ap-



Lord Sainsbury: denied conflict of interest between research at the Sainsbury Laboratory and his role as Science Minister

are in a blind trust," he says. On genetic modification of vegetables, or as the tabloids put it, "Frankenstein's grub", he says: "I don't think headlines about Frankenstein tomatoes

really contribute much. There is a serious debate to be had about biodiversity and safety, and the more the debate can be kept on those issues the better it will be, I think."

**WRITERS PUT NAMES TO CAMPAIGN**



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**Unfair sniping has become a dirty business**

**A**ny businessman considering becoming a minister must be having second thoughts. Each of the industrialists who has become a minister has had his business affairs subject to minute, even obsessive, examination and criticism. This goes well beyond maintaining proper standards and raises questions about the type of people we want in politics and government.

Immediately after the election, Lord Simon of Highbury, the former chairman of BP, was criticised over his shares in the company. Then came the long-running Geoffrey Robinson saga over his offshore trusts and complex business interests. Last summer, the appointment of Lord Macdonald of Tryston as a Scottish Office minister caused a stir because of his previous position as chairman of Scottish Media Group. This month, Michael Wills, the new small business minister, has been criticised over his television production company, while Lord Sainsbury of Turville has been accused of a conflict of interest between his role as Minister for Science and the holdings in the family supermarket chain.

There is no evidence that any of these ministers abused their position in office. The criticisms of Lord Simon and Mr Wills are based on misunderstandings of the business world. The former was legally constrained about when he could sell his BP shares because of the inside information he had as a recent chairman, while it has taken time for Mr Wills as founder and predominant owner of his company to complete the legal steps to divest himself of his interests. Whatever else may be said about Mr Robinson, there is no evidence he did anything to benefit himself financially. He resigned because his value as a minister had been eroded by cumulative attack. The odd point has

been the attitude of the Tories. Their desire to get their own back after the over-the-top attacks from Labour before the election is understandable but short-sighted. Their criticisms of Lord Simon and Lord Sainsbury have struck many in the City and industry as irresponsible and have done nothing for the party's standing with business.

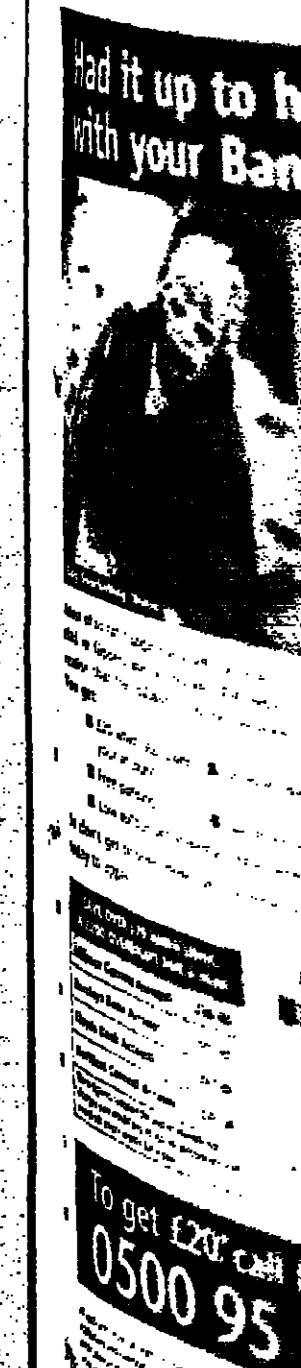
The various Tory business men who became ministers followed similar procedures, using blind trusts and standing aside from possible conflicts of interest. Instead of acting like hyperactive investigative journalists, the Tories should be seeking to strengthen procedures to avoid such charges.

The present system is too often dependent on varying departmental interpretations. As I have argued before, what is needed is an ethics commissioner or office to advise on potential conflicts of interest for ministers, as the Parliamentary Commissioner for Standards already does for MPs. The Government is looking to the forthcoming inquiry by the Neil Committee on Standards in Public Life.

**T**he underlying question is whether we want business people to come into politics, which as Lord Sainsbury rightly argues is very important. Businessmen have often struggled to make a mark at the very top, but they have contributed at the medium level, as Lord Simon and Lord Sainsbury now are, by providing private sector insights and a bridge to industry.

The danger is that, otherwise, we will be stuck with more and more full-time career politicians with no outside experience. That is in no one's interests, as Tory spokesmen would discover from talking to Archie Norman, their party's chief executive who, head of Asda, was one of Lord Sainsbury's fiercest rivals.

**Peter RIDDELL**  
**ON POLITICS**



# Reclusive artist kept himself out of the picture

Dalya Alberge on legacy of man convinced of his greatness

**TWO** houses overflowing with paintings have been left by a reclusive artist who refused to sell his work during his 90-year life.

Theodore Major—who, like his friend L.S. Lowry, was inspired by the industrial landscapes of northern England—repeatedly turned down offers for his work from public and private collectors.

Fearful that his art would not be properly appreciated, he hoarded about 3,000 canvases. It was said that he bought a second house just to store his paintings, which lined the walls from floor to ceiling.

"He painted because of an obsession and he was very protective towards his work," said Michael Leber of Salford Art Gallery, which owns one of his works, *Pit at Wigan*. "I think he developed a healthy suspi-

cion of the art establishment in general, although, as a teacher of art, he was part of it."

The artist, he explained, feared that his work would suffer the indignity of being relegated to darkened museum storerooms. The thought was too much to bear, particularly as Major was an artist convinced of his own greatness. He campaigned unsuccessfully for a gallery in Wigan devoted to his art.

"The future of his personal collection was unclear yesterday, although dealers from London were believed to be interested. The decision depends on his daughter and his will.

Mary Major, a teacher and artist, said that some of her father's works were likely to be sold to support a charitable trust fund. She said she understood his refusal to part with the paintings. "He was entirely devoted to his works," she said. "They were almost like his children. He had a vision of art. It was more of a religion than a money-making business."

Mr Leber said that Major deserved his own gallery: "Some of his work is a major contribution to 20th-century British art. He did a number of works based on the Wigan area which are about death and decay. The figures are almost skeletons."

The artist was described as "an egocentric old chap" by Lawrence Ives, a collector who was also a friend of Lowry. He said yesterday: "Theo also



Lowry: few words on friend's exhibition

## Art thieves 'had a shopping list'

By PAUL WILKINSON

**ARMED** robbers who stole paintings worth £2 million from York City Art Gallery ignored works at least as valuable, police said yesterday.

Detectives believe the two thieves, who called each other Bert and Tony, were working to a "shopping list" put together by underworld art experts.

Among the paintings they passed over during the raid on Friday evening were two by L.S. Lowry which together were as valuable as the £500,000 Turner they did take.

The watercolour, a view

of Rievaulx Abbey in the early 1820s, was one of 20 paintings and decorated wood panels stolen.

A spokesman for North Yorkshire police said: "It seems the thieves were following orders and were not art lovers or collectors themselves. One other theory is that they were after just one good picture, maybe the Turner, and decided to add a few more to their collection just for good luck."

Art dealers have been asked to keep a look-out for the stolen works and a catalogue has been circulated to other police forces.



Around the galleries, page 35

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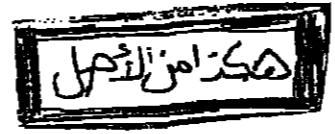
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## Iraqis claim civilians died in air attack

By MICHAEL THEODOULOU  
IN NICOSIA

IRAQ accused American and British military aircraft of firing missiles into residential areas in the southern port city of Basra yesterday. The Iraqis also claimed that several civilians, including women and children, were killed and wounded in the attack.

Britain denied any involvement. Washington confirmed that its warplanes had been in action over the southern no-fly zone after an Iraqi incursion, but said they had attacked air defence systems north of Basra. American aircraft later attacked three separate anti-aircraft facilities in the northern no-fly zone after they were tracked by ground radar and came under fire by surface-to-air missiles.

There have been numerous clashes since Iraq declared that it would challenge British and US warplanes in its skies after Operation Desert Fox in December, but yesterday's incidents appeared to mark a serious escalation. Iraq has admitted boosting air defences in the south in the hope of hitting allied aircraft.

A producer for the American television network CNN saw 12 houses destroyed in a poor residential area of Basra. Local officials said 11 people had been killed in the raid.

Tension in the Gulf is expect-



An American F/A-18 Hornet fighter jet involved in clashes over the no-fly zones of Iraq

ed to mount further today when Iraq's rubber-stamp parliament meets in special session to discuss the issue of Kuwait. The session follows calls from prominent deputies for the Government to withdraw Iraq's 1994 recognition of the tiny emirate because sanctions have not been lifted.

"We could be back to 1990," said one Gulf Arab envoy. "Iraq's attitude is that it has honoured its commitments but the Security Council is refusing to do its job."

President Saddam Hussein accused Kuwait and Saudi Arabia at the weekend of glutting world oil markets to the detriment of other Arab states and the benefit of the Americans. The two countries had handed "America and Zionism knives to pierce Arab nations with", he said. His remarks echoed Iraq's complaints against Kuwait before the 1990 invasion.

The incidents, established in the wake of the 1991 Gulf War to protect the Kurdish and Shia communities, came as an isolated Iraq fulminated against the Arab League's decision to issue a resolution critical of Baghdad.

Furious state-run Iraqi newspapers said it had provided cover for more American and British attacks instead of condemning last month's Operation Desert Fox.

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Tension in the Gulf is expect-



A curtain of smog envelopes Mexico City — top of the dirty-air league when sulphur dioxide and nitrogen dioxide are included in the cocktail of total atmospheric pollution, according to the World Resources Institute.

## Stressed-out rats shed light on how humans fall ill

FROM NIGEL HAWKES  
SCIENCE EDITOR  
IN ANAHEIM

TWO strains of rats, one calm and the other jumpy, are throwing new light on human diseases.

Although almost identical in other respects, the two strains tend to suffer different diseases. The calm rats develop rheumatoid arthritis, allergic skin diseases, asthma and the rodent equivalent of multiple sclerosis. The nervous rats are far more prone to colds and influenza.

The difference, said Dr Esther Sternberg of the US National Institute of Mental Health in Bethesda, Maryland, lies in how rats respond to stress and the effect it has on their immune systems. Applied to humans, it may help to explain the occasional effectiveness of alternative medicine, or why some people in medical trials get better even when given sugar pills.

The calm rats, which Dr Sternberg compared to laid-back Californians, respond to stress by pumping out low levels of the stress hormones. One role of these hormones is to control the immune response, the body's mechanism for fighting off infections. If too little is produced, the immune response remains turned up, and may actually damage the body by turning against it in the auto-immune diseases such as rheumatoid arthritis and MS.

The jumpy rats, which she compared to New Yorkers, have the opposite problem. They produce too much stress hormone, which turns down the immune response so far that they make themselves vulnerable to ordinary infections.

The light the rats cast on the link between mood and disease were discussed on Sunday at the meeting of the American Association for the Advancement of Science in Anaheim, California.

□ A WOMAN who laughs uncontrollably when pricked with a needle has illuminated the nature of jokes.

She suffers a particular kind of brain damage which makes a painful experience seem funny, a neurologist from the Centre for Brain and Cognition at the University of California at San Diego told the conference on Sunday.

Dr V.S. Ramachandran

said that jokes provoke laughter because they are nature's false alarm system. "A typical joke takes the listener along a path of expectation, then at the end throws in a punchline which involves a complete reinterpretation of everything that has gone before," he said.

"It is the violation of expectations that makes jokes funny. The reason we laugh is to alert other people that it is a false alarm — what has happened is not a serious threat."

As an example, he cited the traditional slapstick joke of a fat, self-important man slipping on a banana skin. This is funny if he merely loses his dignity, but if he cracks his skull open on the pavement and bleeds it is not funny, Dr Ramachandran said.

In the case of his patient, who laughed when pricked with a needle, the brain damage lay in the links between the place in the brain where the pain is perceived and the place where that perception is processed in the emotional centres of the brain. "One part of the brain said pain, but the other said: it's no big deal. So she laughs," he said.

□ CHILDREN in the major cities of China and India breathe air so full of pollutant particles that it is equivalent to smoking 40 cigarettes a day, a leading environmentalist claimed yesterday.

The incident is the worst in Kosovo since the Ratko Mladić massacre that claimed 45 Albanian lives ten days ago.

The American envoy, Christopher Hill, met the ethnic Albanian leader, Ibrahim Rugova, in Pristina yesterday to "run through Contact Group thinking," according to an aide to Mr Hill. There are persistent rumours of a conference in Vienna at which Mr Rugova and political representatives of the KLA would try to find a common voice and an agenda falling short of outright independence.

A spokeswoman for the Organisation for Security and Co-operation in Europe (OSCE), meanwhile, dismissed as "absolute rubbish" reports that the senior international monitor, William Walker, might take an extended period of leave from his duties in Kosovo. Mr Walker is still being denounced by senior figures in the Serbian and Yugoslav Governments, who maintain that he should be expelled from Yugoslavia for his comments at Ratko Mladić.

Even the OSCE chairman, Knut Vollebekk, the Norwegian Foreign Minister, seems to have distanced himself slightly, saying Mr Walker "reacted emotionally" in the massacre village and that it would have been cynical and inhuman if he hadn't.

Of the top ten dirtiest cities measured by total amounts of particulate matter in the air, nine are in China and one, Rajkot, in India, she said.

When sulphur dioxide and nitrogen dioxide are included,

a different picture emerges. Making allowance for the number of children under five living in each city produces a league table in which Mexico City is top, followed by Beijing, Shanghai, Tehran, Calcutta, Bombay, Delhi, Tianjin, Manila and São Paulo.

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When sulphur dioxide and nitrogen dioxide are included,

a different picture emerges. Making allowance for the number of children under five living in each city produces a league table in which Mexico City is top, followed by Beijing, Shanghai, Tehran, Calcutta, Bombay, Delhi, Tianjin, Manila and São Paulo.

### 'Miracle' as boy survives -50C flight

Paris: Doctors have hailed as a miracle the survival of an adolescent boy who hid in the undercarriage of an aircraft on a flight from Senegal to France (Ben Macintyre writes).

They say that he should have died of cold or suffocation. The boy, who claims to be aged 15 and has not been identified because he is a minor, spent five hours huddled near a wheel in the undercarriage as the aircraft reached an altitude of more than 30,000ft and the temperature dropped to -50C (-58F).

He was discovered, suffering from advanced hypothermia, after the Air Africa Airbus from Dakar landed at Lyons airport a week ago. The boy is now believed to be out of danger.

The Times and  
The Royal Institution

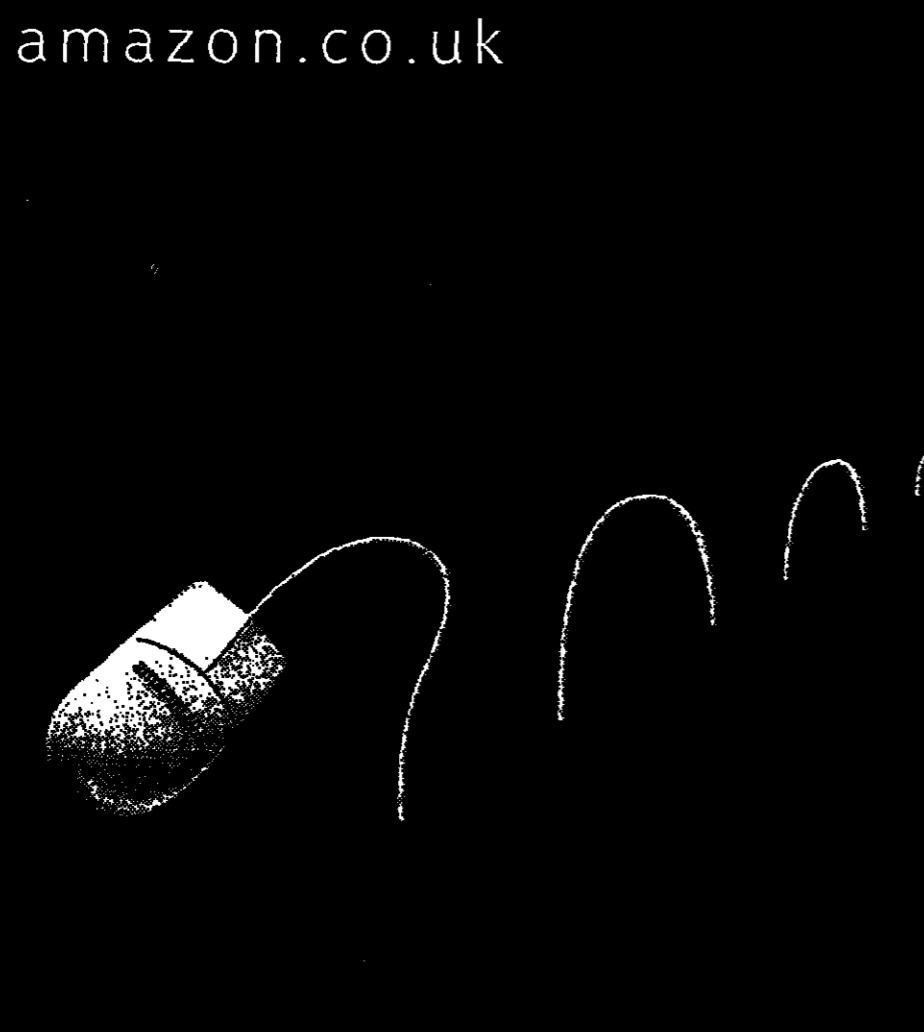
### Scientists for the new century

IN THE first of a new series of lectures starting tomorrow, Dr Martin Westwell, a chemist from Oxford University, will describe the rise of the superbug. For the first time, modern medicine has no antibiotics with which to fight the most deadly bacteria.

The lecture will be held at 7.30pm at the Royal Institution of Great Britain, 21 Albemarle Street, London, W1X 4BS. For tickets (£5/£3 cones) please call 0181 670 2988. Tickets will be held for collection at the venue on the night. (See article, page 19)

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## Product Recall Notice

Teletubbies Soft Torch (foam covered, £5.99)

Product Code: TT502

Woolworths has learned of a potential safety issue with its Teletubbies Soft Torch (product code: TT502). The soft character material is a potential choking hazard to young children.

In the interests of customer safety and as a precautionary measure, the Teletubbies Soft Torch has been withdrawn from sale in all Woolworths stores.

Any customer who has purchased this product from Woolworths since October 1998 should return it to their nearest store where a full refund will be given. A receipt is not necessary.

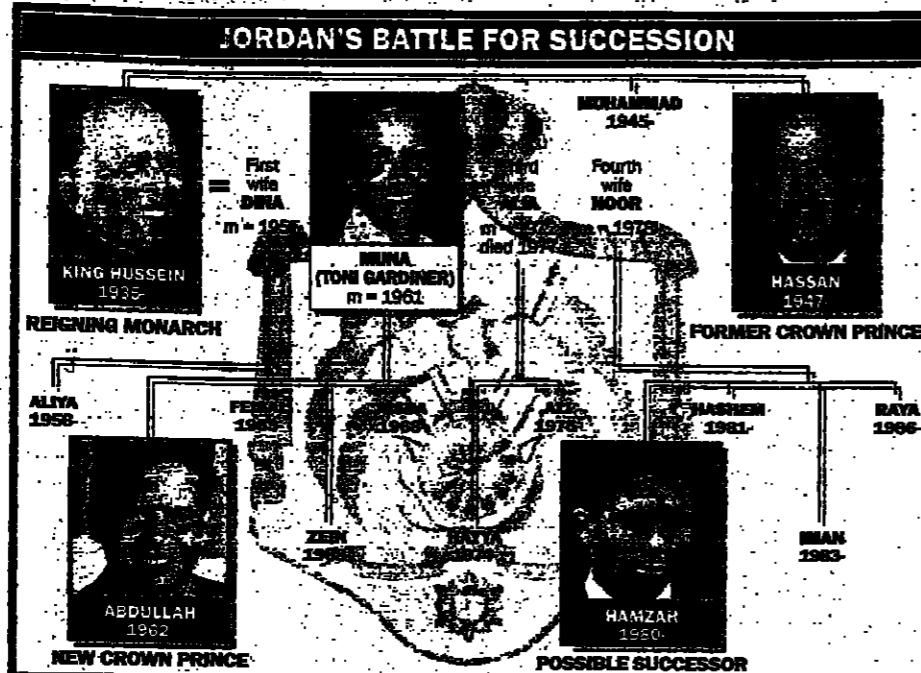
No other Teletubbies products are affected.

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THE TIMES-TUESDAY JANUARY 26 1999



## Hussein plays safe by opting for eldest son

KING HUSSEIN of Jordan has ended days of speculation and confirmed by royal decree that his eldest son, Prince Abdullah, 36, is his heir in place of the King's 31-year-old brother, Prince Hassan, who had held the position of Crown Prince for 34 years.

The decree was signed on Sunday night after a spate of rumours that under the influence of his American-born fourth and current wife, Queen Noor, the King might have passed the succession to their son, Prince Hamzah, who is still a teenager.

Many senior Jordanian politicians had given a warning that such a move could provoke unrest. Touqan Faisal, Jordan's only woman MP, until her defeat in last year's election, said: "Hamzah would have suffered the same fate as Faisal [Hussein's cousin, murdered when King of Iraq in 1958] because the people would have seen his promotion as blatantly unfair and a sign that behind the scenes the Americans were trying to run our country."

Mrs Faisal, who sat as a shopkeeper independent in the lower house of Parliament, added: "After the plan was floated, the King saw it would be too risky to take the Hamzah option. Instead he opted for the much safer move of switching the succession back to Abdullah. But there are still many Jordanians who resent the way that Hassan has been dealt with."

Some officials said that Prince Hassan had taken the news "like a soldier" and immediately backed the move.

King's decision  
strengthens the  
English link,  
Christopher  
Walker writes

while others claimed he had sought permission to take a holiday abroad and was seriously considering leaving the country. Most senior aides dismissed this suggestion.

The reappointment of Prince Abdullah to the role he held briefly in the early 1960s as a toddler has revived traditional British influence in Jordan. His English-born mother, Princess Muna (née Toni Gardiner) is an occasional visitor to Amman, and the Prince himself served happily for a time in the British Army in Britain and West Germany. As both Princes — Abdullah and Hamzah — had foreign-born mothers who converted to Islam, the Crown Prince's back-ground was described in royal

circles as no longer seen as a bar to his succession to the throne that Hussein took over 47 years ago at the age of 17.

Senior politicians said that the King's encounter with his own mortality during his second major cancer scare in only seven years had prompted him to move quickly to restore the Hashemite monarchy's succession to a son who would carry on his own legacy.

For months, Amman had been plagued with rumours about different sons being favoured, speculation that was fuelled when the King was perceived as taking an action or expressing a sentiment in support of one or other of them.

Palace sources said the King had wavered briefly before signing the historic decree replacing his younger, Oxford-educated brother who had been his close confidant and had repeatedly acted as regent since his appointment in 1965, a time when the King feared early death from assassination and an end to the Hashemite line.

Last night politicians said that he was concerned that, despite perceived blunders during the past six months, his brother should be given a gracious dismissal to ensure that his removal did not cause future dissent in the family ranks. They claimed that the monarch, who has a reputation of acting magnanimously towards even his bitterest political enemies, might be planning to appoint him as his deputy in economic areas and the Middle East peace process — areas to which Prince Hassan has devoted his working life.

**www.kinghussein.gov.jo/**  
Information on King Hussein of Jordan and the Hashemite dynasty.  
**www.iconnect.com/jordan/**  
— home page of the Hashemite Kingdom.  
**corp.arabia.com/jordan/**  
— touches on tourism and culture.  
**www.accessjordan.com/tours/**  
— hot sites of Jordan.



The chosen one: Top, Prince Abdullah and brother Faisal with Muna, their mother; left, the Prince's parents on their wedding day in 1961; right, the Prince on parade

OVERSEAS NEWS 13

## Down-to-earth blonde who won royal heart

By CHRISTOPHER WALKER

KING Hussein of Jordan's decision to reappoint his eldest son, Prince Abdullah, as heir has propelled back to the lime-light one of the most unlikely and unassuming English-women ever to play a major role in Middle East affairs.

When Toni Gardiner, then 19, became the King's second wife in 1961 it appeared like a fairytale romance for the blonde, down-to-earth girl who had met her husband-to-be when a young RAF officer took her Scottish-dancing at the King's house at Shuneh, beside the Dead Sea.

The daughter of Lieutenant-Colonel Walker Gardiner, an officer who had stayed in Jordan after the British Training Mission was broken up in 1959, Ms Gardiner became a Muslim, a Jordanian citizen and took the name Muna al-Hussein (Hussein's Delight).

The King's first wife had been the Cambridge-educated Queen Dina. But with Ms Gardiner he seemed to have found the ideal partner, although some leading Jordanians had reservations about the offspring of a converted Muslim and English-born woman ever succeeding to the Hashemite throne.

Toni was a vivacious outdoors girl with simple tastes and no intellectual pretensions," wrote Roland Dallas, the King's biographer. "She was pretty, charming and the same height as the King.

"Like Hussein, she enjoyed riding, swimming, dancing and parties... She could not drive, and Hussein took delight in teaching her. They went go-karting together."

The King wrote in his autobiography: "For the first time in my life, here was a girl who took an interest in me as a human being and not a King." The marriage lasted until 1972, during which time the Princess (she did not wish to be called Queen) bore the King four children, two boys and twin girls, of which the eldest was Abdullah, born on January 30, 1962.

He was briefly created Crown Prince until King Hussein, unnerved by several assassination attempts, altered the succession in favour of his

brother, Prince Hassan, 51, who was unceremoniously stripped of the role last week.

Despite a divorce soon after the King's eye lit on Alia Toukan, a beautiful member of a Palestinian family with deep roots in the West Bank city of Nablus (who, as Queen Alia, was to be killed in a helicopter crash), Muna has remained a respected figure.

"She behaved with great dignity, turning down many other proposals of marriage and never speaking out bitterly about the divorce," a senior Palestinian journalist said yesterday. "She moved abroad, but has been back to Amman many times for family events like the birth of grandchildren, and remains one of the most-liked members of the Royal Family."

British diplomats are cock-a-hoop that the King has set

**'She behaved with great dignity, never speaking bitterly of the divorce'**

for an heir with English roots rather than his favourite son, Prince Hamzah, 19, the eldest son of his fourth and present marriage to the American-born Queen Noor.

There is no doubt that the Americans were plumping for Hamzah, hoping their influence on Jordan's future would rise proportionately," said a prominent Amman banker.

Palace sources said that the King had eventually alighted on Abdullah because of his senior army role and his realisation of the bitterness — and possible violence — that the irregular promotion of Hamzah would provoke.

Abdullah has strong support in the tribally dominated armed forces and strong links with the Palestinians, who make up over 60 per cent of Jordan's population, via his wife Rania, from the West Bank town of Tulkarm.

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# Mercenaries' rage kindled by atrocities

AS Sierra Leone's rebels continue to murder priests and missionaries and amputate the limbs of civilians left to their mercy, battle-hardened mercenaries are vowing their willingness to "do the job for nothing — just to finish the rebels".

Fred Marafono MBE, a former warrant officer with the SAS, is now a mercenary for the Government. Aged 38 and a veteran of British campaigns in Oman, Borneo and Northern Ireland and scores of covert operations which took him from Mexico to South Africa, Mr Marafono should have hung up his gun years ago.

He is of Fijian origin and on retiring from the SAS after 20 years said he could not face "just sitting about". He joined Executive Outcomes, a South African company offering mercenary services, to fight for the Sierra Leone Government against Revolutionary United Front rebels in 1994.

Often unpaid, their lives at risk, the men of Executive Outcomes lost their contracts with the election of President Kabba. But Mr Marafono stayed on, contracted directly to Ecomog, the Nigerian-led West African peacekeeping force fighting

Sierra Leone's rebels violate even the rough code of African conflicts, writes Sam Kiley

about \$2,000 (£1,235) an hour — when the money is paid. At the moment, the Bokkie crew are owed for seven months' flying. But memories of recent scenes at Freetown's Connaught Hospital and the cold-blooded murder of Catholic priests and nuns by the rebels, keep them here. Killers themselves, they have no qualms about dispatching hundreds of their enemies in a hail of fire.

"I love it, it's fantastic," Mr Ellis said about letting loose a "brief burst" from Bokkie's machineguns. He is a veteran of the apartheid-era South African special forces. But the atrocities in Sierra Leone have also brought out the humanity behind the armoured shells of these soldiers of fortune.

"There is nothing in the world that can justify what is happening here. There is no way we can give up on these people. They are my people now. I am one with them," Mr Marafono said.

Jean-Jacques Fuentes, a former pilot with the French special forces, and "Matthew" his co-pilot, who fly reconnaissance missions for Ecomog, have also clearly been horrified by what they have seen in Sierra Leone.

They recently met Lamen Jaka, a teacher, who sat on the floor in a corridor of the Connaught Hospital, pointing the bloody stumps of what used to be his hands at the heavens.

"I begged them not to do it. I begged them," Mr Jaka said. "But I knew it was no use. I just looked to the sky when they brought the axe down on my wrists. They seemed to be enjoying themselves."

Someone dropped some drugs into a pocket he will never be able to use again and told him to go home.

"Home? Home? Where is home? It is a pile of ashes. I have nothing. I cannot ever scratch myself again, or blow

my nose, write, dig — I am finished." He shuffled off, carrying his arms at right angles to the ground.

M Fuentes said: "I can't take any more of this. I really can't. After this job, I'm going to quit, I promise." Himself a veteran who has fought for Mobutu Sese Seko in Zaire and Dennis Sassou-Nguesso in Congo-Brazzaville, he added: "I don't like it one bit — being made to feel human again because

some child has had her hands chopped off."

Journalists seized: Two European journalists were abducted yesterday by Sierra Leone rebels, who later told them to deliver a demand to the authorities.

Patrick Saint Paul of the Paris daily, *Le Figaro*, told reporters that he and Javier Espinosa, of the Spanish newspaper *El Mundo*, were seized at Rukupa, near Wellington, an

eastern suburb of the capital, Freetown.

The rebels headed with the two into the nearby bush where they later released M Saint Paul. The Frenchman said the rebels had ordered him to pass on their demand for negotiations with the Nigerian-led Ecomog forces.

They said they would not release Senior Espinosa until their demand was broadcast on radio. (Reuters)

Fred Marafono, a former SAS man, now fighting as a mercenary for the Government in Freetown



## Plea to Mandela as gunmen kill another party official

FROM RAY KENNEDY  
IN JOHANNESBURG

AN urgent meeting with President Mandela was being sought yesterday by leaders of South Africa's United Democratic Movement (UDM) following the murder of a second party official.

Roelf Meyer, the party's deputy president, said talks with Mr Mandela — who has postponed visits to Uganda, Switzerland and Germany

that he was scheduled to begin yesterday — about the killings were imperative.

Police said they were not ruling out a link between the latest murder outside Cape Town and the deaths of 11 people in an attack by gunmen on a funeral vigil at Richmond in KwaZulu-Natal province, hundreds of miles away, on Saturday night.

The murdered mourners were supporters of the African National Congress (ANC) in an area of South

Africa where thousands of people have been murdered for their political allegiances.

The attack came only hours after Sifiso Nkabinde, Secretary-General of the UDM and a former ANC warlord, died in a hail of bullets fired at his car in the centre of Richmond.

More than 1,000 police and troops are patrolling the Richmond area amid rising concern that political violence could erupt there and in

other parts of South Africa in the run-up to the country's second democratic general election in a few months' time.

Vaindlela Matiyase, deputy chairman of the UDM in the Western Cape province, was shot dead when he was called to the front door of his home in the Samora Machel informal settlement outside Phillipi, near Cape Town, at dusk on Sunday. Police said two gunmen fired four shots at him.

The UDM was formed in 1997 by Mr Meyer, a former National Party minister who was its chief negotiator in constitutional talks with the ANC and Bantu Holomisa, a one-time black homeland leader, after his expulsion from the ANC.

The party is claiming big gains in support in the Western Cape province, where the ANC is mounting a fierce campaign to win control from the National Party at the election.

A THE TIMES TUESDAY JANUARY 26 1999

## WORLD IN BRIEF

### More Christians attacked in India

Lucknow: Officials in the northern Indian state of Uttar Pradesh said yesterday that five Christian missionaries were beaten up, a day after an Australian missionary and his two sons were burnt alive by a mob of Hindu zealots. The latest victims of a rash of attacks on the country's minority Christian community occurred on the banks of the River Ganges in Allahabad.

"Ravi Shankar, the state's Home Secretary, said the five Christians belonged to a missionary organisation called 'In Jesus' from Kerala state, where 23 per cent of the population is Christian. The victims were said to have been handing out pamphlets. (Reuters)"

### Leading article, page 19

**Ice fishermen safe**

Moscow: Nearly 400 fishermen stranded on ice-floes and swept out to sea off the island of Sakhalin in Russia's Far East returned to land safely. The floes broke away from the coast and drifted for about an hour before the current pulled them back towards the shoreline at Cape Lesnoy. Moscow's Echo Radio reported. Ice fishing, on frozen lakes or rivers, is a winter tradition in Russia; drawing dozens to holes drilled in the ice. (AFP)

### BA man escapes trial

Fairfax, Virginia: A British Airways flight attendant avoided a trial here by pleading no contest (neither admitting nor denying guilt) to assault and battery charges in a colleague's alleged rape. Julian Henry, 47, of Pulborough, West Sussex, was fined \$1,000 (£600) for the attack in a hotel room. The prosecutor dropped rape and sexual assault charges in exchange for the plea. The victim, 45, alleged that Henry raped her after several hours' drinking at the hotel. (AP)

### Stolen Uccello found

Chambéry: Police officers patrolling a parking lot in Aix-les-Bains, southeast France, stumbled on a stolen painting by the Renaissance Florentine artist Paolo Uccello. The 15th-century oil portrait *Unknown Man*, stolen from the Chambéry Museum this month, was found propped up against a bush on Sunday. The museum curator said the thieves were probably unorganised and became scared. (AFP)

### Nuclear verdict delayed

Bonn: Germany's plan to abandon nuclear power hit a snag when the Government announced it had put off a controversial decision on banning exports of spent nuclear fuel. Gerhard Schröder, the Chancellor, was concerned that Germany would have to pay compensation if it scrapped reprocessing deals with French and British plants, a government spokesman said. About one-third of German electricity is supplied by nuclear power. (AP)



### Newspaper chief freed

Harare: Police yesterday released Clive Wilson, the proprietor of *The Standard*, after detaining him for three days over the newspaper's report of an alleged conspiracy to overthrow President Mugabe (an Raafat writes). Mr Wilson, 62, said he had not been subjected to any ill-treatment by his captors, unlike the editor, Mark Chavunduka, and a reporter, Ray Choto, who were tortured by military and secret police.

### 90-year-old's fiftieth

Riyadh: A Saudi villager, over 90 years old, has taken a 13-year-old for his fiftieth bride. The man, from the Jizan region in the south of the kingdom, has about 50 children ranging from 12 to 65 years old. It is assumed that the villager, who lives on a diet of dates and yoghurt, must have divorced dozens of women, because Islam allows a Muslim to have a maximum of four wives at any one time. (AFP)

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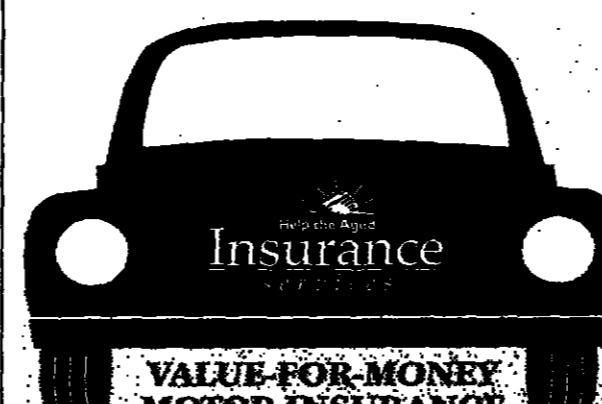
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# The agony of psoriasis

Katherine Duncan-Jones has defeated the virulent condition that made her hands and feet bleed

**A**t the end of August 1996 both my daughters left home to take up graduate scholarships in America. I knew that they would probably never again spend extended periods in my house, but persuaded myself that I had "coping strategies" well in place. Within days of their departure, I embarked on a more than usually expensive holiday, a Hellenic cruise. I calculated that during the course of this holiday I would become really keen to get back, even to an empty home, and to resume my absorbing work on Shakespeare's Sonnets.

This was indeed the case, and I returned to much enjoyable busyness, not consciously marred by what I took to be a moderately virulent outbreak of athlete's foot caused by too many visits to my swimming club in a prep school, where term began in early September. After a week or three I went to my GP and told her I thought I had athlete's foot. Amid pleasant chat of this and that, she sat at her computer and prescribed some antifungal cream. I warned one or two fellow members of the swimming club that there might be infections around in the women's changing room, used at other times of day by "away" rugby teams of little boys.

My spirits were slightly dampened, as autumn and a new academic year set in, by a sense that as a responsible citizen I should cease to visit the swimming pool—I normally went three times a week—for fear of infecting others. I hit on what I thought a rather brilliant solution: I bought rubber foot coverings and went swimming in them a couple of times, hoping to avoid passing the infection on, but was surprised to discover that a part toes play in swimming, and how impeding it is to have the feet encased in latex. Perhaps this experience gave me some empathy with the condom-wearing sex.

The only real solution seemed to be to abandon swimming, especially since the athlete's foot was, if anything, more virulent, despite a second instalment of antifungal cream, and had now spread to the right foot as well. I also noticed that, immersed in the morning paper, I seemed clumsy; we have cut some flaps of skin loose on the palm of my right hand while peeling my apple and pear with a sharp knife at breakfast. However, being extremely busy, as October and November advanced, with teaching, lecturing and writing the introduction to my edition of the Sonnets, I didn't devote much thought to any of this, though I did buy lots of hypoallergenic plasters to keep my cracking and bleeding soles more or less in one piece. My morning and bedtime routines—peeling off the day's plasters and applying a fresh set, with what seemed like great cardboard-like rafts of skin coming off—became increasingly disgusting.

My doctor changed her tune, and decided that either it never had been athlete's foot or that the athlete's foot was second-



Katherine Duncan-Jones: "I kept thinking of the Little Mermaid, who was permitted to exchange her fishtail for legs at the price of feeling that she was treading on knives"

ary to some other skin problem. She set things in train for an appointment with an NHS dermatologist, although she was fairly sure that what I had would eventually be diagnosed as "acute dermatitis" — doctors' Greek for bad skin trouble.

She recommended that I wear cork insoles. With terrifying speed, lacking my habitual exercise, I became alarmingly lame and unfit. I kept thinking of Hans Christian Andersen's *Little Mermaid*, who was permitted to exchange her fishtail for human legs only at the price of feeling that at every step she was treading on knives. Normally an early riser, I took to lying in bed in a state of acute apprehension, dreading the pain when I put my bleeding feet to the floor, and not at all

sure I could face the small amount of walking required to get me downstairs, and to work. After a few minutes I usually became inured to the pain, especially once I had strapped on my cracked, bleeding feet with rolls of the sticking plaster I was now using, but I did make careful calculations of the least amount of walking I could get away with, and became quite stressed. I had to walk any farther. Meanwhile, the skin on my hands was flapping off in large pieces, and I dreaded meeting anyone who might shake my hand and feel its horny edges. My hands, like my feet, were now so cracked at the sight of my nocturnal plastications. Sometimes I kept my feet wrapped and anointed during the day as well as at night, concealed with socks and trousers,

and hoped that no one would see the bulging at my ankles or hear the occasional surrations of the plastic. By mid-December, I had become a steroid junkie.

I was embarrassed, in a nice Swiss hotel room, to find no way of dressing and undressing without scattering heaps of dead skin on the carpet. In the new year, I tried to cut down on the steroids. My feet were ever so slightly better, my hands a lot worse, but there was no doubt that all four extremities were madly and painfully exfoliating all the time. Night after night, in a warm bath, I would try to rub them clear of dead skin flaps, hoping they would be nice and soft the next day, but new flaps and cracks appeared in no time. Finally,

in March, I saw the dermatologist, and hand and foot psoriasis was diagnosed — a condition rare enough to be unfamiliar to many GPs, but common enough for the Oxfordshire Health Authority to have invested in ultraviolet light does for treatment of the condition. During the summer of 1997, I had a 12-week series of sessions with ultraviolet light and the treatment, combined with a continual applying of moisturising and emollient creams, brought my feet, at least, to a better condition than they had been in for years.

The connection between mind, consciousness and body is notoriously intimate and inscrutable. In *Pet of Clay* (1996), Anthony Storr traces a recurring pattern of events in which an individual who has undergone severe illness or depression emerges from it convinced that he can now impart spiritual insight and detailed guidance to mankind on how life should be lived. Many celebrated "gurus" such as St Ignatius, Jung and Gurdjieff have undergone such mind-changing illnesses and have persuaded large numbers of followers of the universal value of the insights they gained during them.

**I**n my case, the pattern of events has been reversed: I have been led to rationalism rather than mysticism. I am less certain than ever that I have any belief of my own, let alone anything of value to impart to others. Rather than living, like St Paul, that "I know that I bear in my own body the marks of the Lord Jesus", I now meditate with sympathy but considerable cynicism on the glorifying lives of such celebrated stigmatics as St Paul or Padre Pio. Spending long periods in dark cells meditating on one's own sin and unworthiness in the sight of the Almighty must be the perfect receptor exacerbating psoriasis, a stress-related disorder of the immune system that is aggravated by lack of sunlight. Another site where psoriatic patches can break out badly is round the midriff, leading to "holy in the side" wounds. For a short time in October 1996, I had this symptom, too.

Until 1997 I was a regular churchgoer. Despite a strong inclination towards pantheism, I felt myself to be sustained and nourished at some deep level by Christian ritual and worship. Since more or less covering from psoriasis, I find that whatever frail thread it was that connected me with institutional religion has snapped. As an Anglican I had never been required to take such saintly miracles as the Sigma particularly seriously. Still, the close parallels between this form of psoriasis and Christ's wounds might have led to a deeper faith. In practice, I find that my healed and anointed feet no longer carry me into places of worship.

• This is an edited version of an article that first appeared in The London Review of Books.

## I am not mad, touch wood

**O**bsessive behaviour is often just a means of relieving stress, as **Miranda Ingram** discovers



tried not doing it but I can't concentrate on my work or what they are saying, and have to make an excuse to go in and out of the door again and do it properly."

Nadine Wild also pats, but it is drawers for her. "Even when they are obviously closed, I have to pat them until they feel closed," she says. "It's completely crazy."

Wild, an academic at the top of her profession, also has to

step over joins in the carpet, with the correct foot forward, or go back and do it again if she doesn't get it right. Now she has started on taps. "It's definitely getting worse as I'm getting older," Wild says.

"Now I have to put a hand on each tap and twist until they turn off fully in symmetry. And I have to turn locks in doors numerous times until the click feels right. It drives my husband crazy. He says it's

spooky having this apparently intelligent woman endlessly clicking all the locks at night."

In all cases, the women agree that while the obsessions are irritating, they dare not fail to do them: doom will surely follow if the ritual is not observed.

"It drives me mad that I'm doing it," says Passmore.

"but I don't risk not doing it. What if we had a crash?"

Wild cannot risk abandoning the lock ritual, but was horrified recently to catch her four-year-old son patting drawers.

"I couldn't bear it when I saw his little hands following the same absurd pattern as mine. I thought 'God, what have I done? I've turned him crazy, too!'"

Crazy or certifiable? Scratch

the surface and almost everyone

seems to have a private ob-

session: sipping drinks to the

count of three, tapping a boiled

egg seven times, lining up

pens and pencils in a certain or-

der, or stepping on and off the

footpath before crossing.

Should we be worried? Is this

the first step into the asylum?

"Not at all," says Professor

Peter Fonagy of the department

of psychoanalysis at University

College London. "Firstly

this sort of behaviour, which

is extremely widespread and

not restricted to women, is

quite separate from full-blown

compulsive obsessive disorder,

which is a very serious ill-

ness. It is to do with your per-

sonality type, mostly, and to a

certain extent with your social

inheritance — background."

Certainly the women inter-

viewed by *The Times* recalled

watching similar behaviour in

their parents — obsessive tidy-

ness, lining up the salt and

pepper — and see it also in

their siblings.

"On a certain level we are all like children," Fonagy says. "It is a state called magical phenomena whereby you believe that if you do X then, Y will happen, even if you know perfectly well, intellectually, that there is no connection."

"Like standing on the platform trying to will the next train to be the Richmond train. You think that if you look at the board in the right way for the right length of time you can make the next train be the right train. Children have this very powerfully and perfectly normally, and most of us, when we are under a lot of stress, revert to childish ways of thinking."

"I had an undergraduate patient who sincerely believed that he would do OK in his finals as long as he didn't change his underwear in the three weeks running up to the exams, even though he knew perfectly well that the state of his underwear couldn't possibly influence his results set weeks before."

"When we are frightened or nervous we quite often start to believe in trivial things. This sort of behaviour is analogous to superstition, or carrying mascots, for example. Each person has to find their own way of coping — one person might fidget, another develops a phobia and a third feels sick."

"It's not that indulging in

repetitive lock-turning them-

is just the way you cope, he says, even if it might not be

the most efficient solution. It

gets worse when there is an

area of your life that you feel

you are not fully in control of

or coping with. Patting the

door gives you the comfort of

being in control of something."

"If you're going through a

particularly obsessive patch,"

Fonagy says, "it is probably a

message to yourself that an

area of your life needs sorting

out — you're postponing a de-

cision, your elderly mother is get-

ting you down. You've got prob-

lems at work. Stop worrying

about the obsession itself and

look at the rest of your life."

He says that indulging in se-

cret door-patting or tap-turn-

ing rituals does not mean you

are either more, or less, likely

than anyone else to develop a

serious clinical disorder. "In

fact," Fonagy concludes, "peo-

ple who behave like this are

usually pretty sound people —

good at their work, reliable

and conscientious."

## When a nosebleed becomes a danger

**K**ING'S LYNN in Norfolk was Royalist in the Civil War, and the local people seem never to have lost this tendency. They delight in welcoming the Royal Family when they are installed at Sandringham and have a particular affection for Queen Elizabeth the Queen Mother, dating from when King George VI was alive and the Royal Family spent so much time there together.

It is a pity, therefore, that her new year visits seem to coincide with the occasional medical emergency. This time last year, the Queen Mother fractured her femur while visiting the stables; this year she has had a severe nosebleed, which needed attention at the local NHS hospital.

A nosebleed, or epistaxis, as we doctors call it (to use *Private Eye's* phraseology), does not sound very sinister and is not in the same league as the repair of a fractured femur. However, a nosebleed, particularly in an older person, can be a true medical emergency. Stopping it may require the presence of an experienced ear, nose and throat surgeon, and also, on occasion, a skilled radiologist to find the bleeding point.

Most nosebleeds, such as those suffered by young children through the bites and bangs of playground life or too much exploration with their fingers (known medically as epistaxis digitorum), are easy to stop. The sufferer should sit upright with the head inclined slightly forward, and grasp the nose between finger and thumb at the junction of the soft and hard parts. Squeezing the nose at this point compresses Kiessebach's plexus of blood vessels, which are situated in Little's area (Kiessebach and Little were 19th-century surgeons). The pressure should be maintained for at least ten minutes. When it is released, in most cases bleeding will have stopped.

If this first-aid measure does not work, the anterior portion of the nose may have to be packed with gauze. This presents no great problem. In my youth, one-inch gauze ribbon saturated with BIPP (iodine, iodoform and paraffin paste) — devised by Lord Lister and later used in the First World War for packing

wounds — could be left in position for hours or even days without becoming unpleasant. Usually, this stanched the bleeding. More recently, films of an expanding foam, Merocel, are inserted into the nose. This absorbs the blood, expands and exerts pressure on any of the bleeding Kiessebach's vessels. If this is unsuccessful, the blood may be cauterised.

Malcolm Keene, a consultant ear, nose and throat surgeon at St Bartholomew's Hospital, says that the method of treating nosebleeds is determined by their severity. The elderly, too, frequently take aspirin or nonsteroidal anti-inflammatory drugs to counteract arthritis. These drugs also make bleeding more profuse. Many of us like to think that the Queen Mother's remarkable resilience and intellectual sharpness are also a result of the recognition of the advantages of alcohol in moderation. Unfortunately, however, useful this is in stopping the blood clotting in the coronary arteries, it may also increase a tendency to bleed.

Bleeding from the back of the nose from a ruptured branch of the sphenopalatine artery will probably need specialist attention. Only when people remember the "nose trick" — the spluttering of a drink through the nose when choking or laughing — do they remember the connection between nose and mouth. In the past a gauntlet was introduced through the mouth and pulled into position at the back of the nose. Now an expandable balloon, such as is found on a Foley's catheter, is introduced in the same way. Once the balloon is in position, it is inflated with air and when the pressure of the balloon is greater than the blood pressure, bleeding from the artery stops. Rarely, a major artery needs tying.

Two warnings: a persistent, watery, bloodstained discharge from one nostril may be an early sign of a nasal tumour and needs investigation. Also, patients with recurrent nosebleeds should have a blood count to exclude haematological disease.

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THE TIMES TUESDAY JANUARY 26 1999

FEATURES 17

# Blowing the whistle on the office fraudsters

Most of us will at some time end up stealing from our employers. Jon Ashworth reports on how we have become a nation of petty criminals

**T**hree out of four employees in Britain steal from their employers, according to a disturbing new study of practice in the workplace. Middlemanagers, often long-servers are among the chief culprits since they have the best understanding of how to cheat their company and cover their tracks.

The University of Nottingham Business School was commissioned to write a report on workplace fraud by Business Defend Europe, a consultant on managing fraud risk. It found that fraud tends to be more widespread among middle managers, but says most people are corruptible.

Pau Barnes, the report's author, says: 'A quarter of all people will always steal, and two in four will steal if the circumstances present themselves. We've all got our price.'

Independent research by The Times suggests that fraud in the office is becoming a huge problem, for

British companies costing billions of pounds a year. It ranges from 'petty' fiddling of expenses and personal telephone calls to systematic ploughing of accounts, often over several years. The perpetrators are often a company's most trusted and valued employees.

Faced with the evidence, employers are starting to clamp down. Legislation aimed at protecting whistleblowers at work seems certain to speed the process. Employees who regularly work late and never take holidays may come under suspicion.

The weakening UK economy will hasten the process, because fraudsters find it harder to cover their tracks as companies tighten procedures. The perpetrators panic and take bigger risks. Weak controls and management indifference have enabled fraud at

work to flourish since the recession of the early 1990s. Accountants are increasingly being called in to put anti-fraud systems in place. 'It's a desperate problem,' says Mark Tantam, head of fraud management services at Deloitte & Touche, 'and it will get more desperate as recession bites. People will feel well, I have no loyalty to my employer because tomorrow I'll be sacked.'

He believes the scale of fraud is even greater than the Nottingham report suggests. 'I've always felt that all of us have the propensity to commit a fraud if we are under such pressure that fraud was the easiest way out,' he says.

'It's not like murder. It's something which is a grey area where people feel, if I had nothing, if my children were starving, if my husband was ill, I would take the chance.'

Companies lose a small fortune each year to so-called 'petty fraud' — personal telephone calls, taking office stationery, fiddling expenses and even downloading pornography from the Internet in hotel rooms then charging it back as business telephone expenses.

The reason this is tolerated is because the costs of controlling it outweigh the benefits. Companies sacrifice about 1 per cent of their annual sales to petty pilfering — which, for a major company, could cost as much as £70 million a year. The collective cost to British companies is billions of pounds.

More of a concern are the serial fraudsters — individuals who take kickbacks on major contracts or who fiddle the books to meet their performance targets.

David Sherwin, head of fraud investigations at Ernst & Young, says: 'Once an employee has won the trust of senior management they

will be more likely to commit a fraud.'

Most frauds are uncovered because someone speaks out, but fear or recrimination puts

many off. Inform on a manager who survives and life may become miserable. The Public Interest Disclosure Act 1998, dubbed the 'whistleblower's charter', aims to encourage people to speak out without fear. Only about 10 per cent of British companies have employee hotlines.

Plavsic says: 'Of the investigations I've done in the past seven years, about 60-70 per cent of fraud cases have been committed by employees and about the same proportion have been reported by other employees. You need to be wary of your employees, but you also need to treat them appropriately because they are your eyes and ears.'

Often the evidence is there for all to see. Emma Codd, head of business intelligence services at Deloitte & Touche, says: 'We had one finance director, a woman with one O level, who was obviously living beyond her means — a Ferrari, expensive holidays. When you do an employee screening, you should carry out a lifestyle check — is someone flashing money around, or in financial problems, no finance on the car? There is so much you can see from doing standard record checks.'

When it comes to computers, think again: if you believe that pushing the delete key will erase evidence, your computer or laptop is often the prize trophy in any fraud investigation. Tech-nolegues can recreate the last ten changes made on a computer and retrieve incriminating fragments from the hard drive. Investigators typically come in pretending to be IT technicians and take a copy of the computer's hard disk. Letters, e-mails and records of print-outs can be matched to fax and telephone logs.

Accountants and the police have sophisticated tools at their disposal. EYTracer, developed by Ernst & Young, uses a computerised cash-tracing model to sift through huge numbers of transactions. In one case, a company suspected that it was being defrauded, but did not know where to begin.

EYTracer then downloaded 600,000 transactions going back six years. Within a day, the search had been narrowed down to one account. By the end of the week, they had cracked the fraud. An employee had set up a bogus supplier, paying out cheques, assuming that no one would notice.

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# More than simply black and white

Michael Gove on the Lawrence inquiry and a new McCarthyism

When it was published, Tom Wolfe's *Bonfire of the Vanities* was an impressionistic landscape of America. It may now have become a mirror of Britain. The New York author illuminated a city in neurosis, with face distorting reason. I fear that we may be succumbing to the same neurosis.

Later this week the Home Secretary will receive the report of the Stephen Lawrence inquiry. Jack Straw's response will be made in charged circumstances. There is a widespread desire to see a conclusion reached which will satisfy Stephen Lawrence's parents. But the terms on which the inquiry has been conducted give rise to legitimate doubts that the right lessons will be learnt.

It is impossible to consider the murder of Stephen without feeling both admiration and anger. The dignified bearing of Neville and Doreen Lawrence, their quiet persistence in the pursuit of justice and their determination that some good should spring from unspeakable evil, are qualities that compel admiration. The knowledge that Stephen's murderers are still abroad quickens the blood to anger. That anger is only swelled by the catalogue of errors which marred the investigation.

It is not easy, therefore, to question whether justice, which has been denied the Lawrences, has been best served by the inquiry for which they campaigned. Just as questioning the wisdom of handgun legislation after the Dunblane killings seemed an act of insensitivity, so raising questions about this inquiry may seem to demean the Lawrences' grief. That is not my intention. The Lawrences deserve to see justice done. But the inquiry has too much of the whiff of Salem to leave the unbiased anything but uneasy.

Even before proceedings began the witchfinder's finger was flexing. On the eve of the inquiry, The Observer ran a story alleging that the chairman, Sir William Macpherson of Cluny, was "insensitive" to racial issues. The accusations were diplomatically dealt with, but a sour note had been struck.

On one level, Sir William had been put on warning that his conduct would be scrutinised by an audience suspicious of his hidden prejudices. Indeed, during the inquiry he halted questioning of Mrs Lawrence intended to explore her attitudes to the police.

On a deeper level, the manner in which the inquiry would be viewed was skewed. A proper emphasis on judicial impartiality had been overlaid by ideological considerations. It is a practice, sadly, commonplace in America, where the judicial process has become dangerously politicised. The shade of the courthouse where O.J. Simpson was tried now hung over the proceedings.

The inquiry itself also recalled another unhappy episode in American justice. The lawyers for the Lawrences seemed, at moments, to have served their apprenticeship under Joseph McCarthy. Just as the senator brought a



Michael Gove

michael.gove@the-times.co.uk

Quite simply, the nonsense has gone far enough. Daily, the terror

gangs mutilate and torture. Northern Ireland is descending into a moral cesspit

Sean O'Callaghan

A new reign of terror and intimidation has descended on Northern Ireland. It afflicts those large areas that fall under the control of the "military representatives" of the loyalist and republican parties — Sinn Féin, the Ulster Democratic Party and the Progressive Unionist Party. We would know little of this if it were not for Families Against Intimidation and Terror, an heroic group of human rights activists who have risked their lives to expose thuggery.

We are led to believe that the IRA, UVF and UDA are observing ceasefires. This is palpable nonsense and everyone in Northern Ireland, outside the Cinderella-land that is the Northern Ireland Office, knows it.

Punishment beatings — a euphemism for mutilation, torture and intimidation — have increased dramatically in recent months as these organisations

have imposed their control on the communities they purport to represent. No one in the Northern Ireland Office, least of all the Secretary of State, Mo Mowlam, seems much concerned. The attitude seems to be: while terrorism is confined to the ghettos, why worry?

The sheer absence of morality, the knee-bending to appeasement and a view that to say nothing and do nothing will somehow ensure the survival of the Good Friday agreement — is repugnant. Furthermore, it will fatally undermine the peace process.

Gerry Adams, David Ervine and Gary McMichael must be told by the Prime Minister (not the Secretary of State, whom they regard as full of hot air) that one more act of violence by the organisations they represent will bring prisoner releases to a halt and see them expelled from the



## Exit Bron?

AUBERON WAUGH is poised to stroll out of the *Literary Review*, the magazine he has edited for 13 years. Richard Ingrams, Editor of the *Oldie*, has offered him a brief and a column. This would enable Waugh — inclined, but not open-minded, to escape the study he shares with his bracing deputy, Nancy Sladek.

Waugh is troubled by the illness of his close friend Susan Ingraham (pictured), widow of the late Cabinet minister, and spends much time visiting her in hospital. Bron declines to confirm the story, but Ingrams says: "I have offered it to him. We are very keen to get him. One of Bron's crates is ranker. He has had enough of the *Literary Review*. He should impose himself more but he is too sweet-natured."

If he does go, I fear for his future of *Naim* 'Amal's organ. It is bankrolled by such generous souls as Lord Hanson and St Paul Getty, but without Bron the magazine may not find the magazine so alarming.



• MPs discussed part-time work in committee yesterday: government MPs attending? None.

## Brief lives

THE Lord Chancellor bears the stiletto marks of Baroness Kennedy of the Shaws, his favourite wifey twiddler. The baroness married into Lord Arden of Larr's wife to assault him over his Access to Justice Bill (she is disturbed that legal aiders will not be allowed to choose a defence lawyer). Phrases such as "loyalty" and "vote against" were uttered here. There is now, possibly, a catalogue of grievances. I'm like

• TONY Blair looks kindly on Charles Kennedy, has strained a warm friendship: the Lib Dem leadership's favouritism towards social support from his Hugh Alastair Campbell, though well-meaning, will have done little to charm independent-leftie musing activists.

## Striking gold

JACK CUNNINGHAM'S patronage could become the gold standard. Since we put him in at the five-star Conrad International in Brussels, it has been made a member of the leading hotels of the world — a select club representing 300 sumptuous pads.

• JEREMY IRONS has found gold. The actor, who has starred in *Clive Barker's* *Book of the Dead*, has won an Oscar for his role in *Die Hard with a Vengeance*. He said: "I did terrible things to friends over the past 200 years, one of which was breaking the leg of *Kidz Castle*. So I am going to try and put it

IN THE NIGHT IT'S SAID YOU CAN HEAR CLARE SHOUTING LAUGHING

• In the night it's said you can hear Clare shouting laughing

• Peter Mandelson

right: Jolly good. That should make up for the potato famine

deserve censure and isolation.

Is it really beyond the power of Government to bring the terrorist gangs to heel? There is a mean spiritlessness in the corridors of power and its name is cowardice.

If the present situation is allowed to continue, and if Mr Trimble is forced to accept

IRA-Sinn Féin into an executive without decommissioning, the agreement will collapse. IRA-Sinn Féin might well bring down the agreement itself anyway if it is pressured to begin decommissioning — but at least the stench of moral corruption that surrounds the process will then have been dissipated. Blair and Ahern must face them down, otherwise all is lost.

The objective is clear. IRA-Sinn Féin says that the RUC is an unacceptable police force and must be disbanded — to be replaced by a force acceptable to the IRA. In its

process until they accept and implement the Mitchell principles of non-violence.

Quite simply, the nonsense

has gone far enough. Daily, the terror gangs mutilate and torture. Families are forced into exile, racketeering, criminality and drug-dealing are widespread. Northern Ireland is descending into a moral cesspit. Is this what the Good Friday agreement brought us? Is this what we voted for with such hope in our hearts?

If the Government does not use the sanctions at its disposal, the terrorists will behave as they please. Indeed, the peace process is fast becoming the gangster process.

There is another reason for increasing violence. Even as Sinn Féin and loyalist fringe

parties pay lip-service to the condemnation of "punishment beatings" they also use ugly euphemisms to argue that a "rough form of community justice" will unfortunately continue until the "policing vacuum" in Northern Ireland has been filled. The beatings are intended to cow the State into neutering the Royal Ulster Constabulary.

The IRA-Sinn Féin leadership

in particular is orchestrating

intimidation in nationalist areas

as part of a strategy to influence

the Patten Commission's report

into the future of the RUC.

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process until they accept and implement the Mitchell principles of non-violence.

Quite simply, the nonsense

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Family

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## CHRISTIANS IN PERIL

### Burnings, murder and the new intolerance of Asia

Mahatma Gandhi expected the India of his dreams "to be wholly tolerant, with its religions working side by side with one another". For India's Christians, those expectations have been brutally betrayed since last March, when the Hindu nationalist Bharatiya Janata Party (BJP) formed a new Indian Government. The mob murder in Orissa at the weekend of the Australian evangelical missionary Graham Staines, incinerated in his car with his two young sons by Hindu extremists, brought to 109 the recorded acts of violence against Christians in ten months. That compares with 50 in the entire half-century since independence.

Attempts to invoke Gandhi's spirit of tolerance by India's Christian leaders, who last month led tens of thousands in a day of protest at the Jamuna River where Gandhi was cremated, have been pathetically ineffective against an orchestrated campaign by extremists affiliated to the BJP. In Gujarat, Christian appeals for official protection after dozens of assaults were answered by a renewed Christmas outbreak of church-burnings, forced "purification ceremonies", attacks on priests and nuns and the stoning of schools. Yesterday, even as India's leaders condemned the Staines murder and thousands flocked to the funeral, five other Christian missionaries were viciously beaten in Allahabad in an attack applauded by the Bajrang Dal, the militants behind the Staines murder.

India's Christians are not alone in experiencing a great upsurge of intolerance and violence. In China and Vietnam, persecution is ideologically driven; but from Pakistan, Nepal and Indonesia, Asian Christians are under assault as they have not been in living memory. What is puzzling is why they should be singled out.

These are minority communities so tiny that they cannot by definition pose any threat to national cohesion or majority beliefs. India's 23 million are only 2.6 per cent of the population. In Pakistan, where justice for Christians is now virtually

non-existent and police have deliberately exposed Christians to danger in some areas by ordering them to identify their houses with crosses, much as Nazi Germany instilled the yellow star for Jews, they number only three million, mostly desperately poor. In Indonesia, where the situation is more complex because many are also Chinese, Christians have more protection; the military has, in most cases, made serious efforts to quell Muslim-Christian riots like those which have just gutted the eastern town of Ambon. But in India, the Government stands accused, by moderate Hindus as well as Christians, of appeasing, if not covertly abetting, crimes committed by its own supporters.

History associates religious persecutions with weak leaders — Mary Tudor in England, Nicholas III in Russia — or with periods of national unease and self-doubt, as with the expulsion of Muslims and Jews from Spain. Asia's economic disasters have made the vulnerable more exposed. But India has been relatively lightly touched by the Asian disease; there, the problem is a governing party that rose to power by cultivating a religious militancy whose destructiveness it is unable or unwilling to control. This is not a resurgence of anti-colonialism, despite the Hindu demands to expel all foreign missionaries. Christians have existed in India since AD52. It has more to do with caste; 60 per cent of Christians are Untouchables, and a further 15 to 20 per cent are Adivasis, remnants of India's down-trodden aboriginal tribes. Most of all, Christians are vulnerable precisely because they are so few, having discovered that attacking Muslims loses the BJP votes. Hindu activists have picked an easier target for their broader message of religious intolerance. The Prime Minister, Ahal Bihari Vajpayee, has told Christians: "I share your agony." The Staines murders will put his Government under pressure to translate his words of pain into effective action.

## SAMARANCH MUST GO

### His exit is the only way forward for the Olympics

The Olympic Games are facing their most shameful moment in more than a century of idealism and record-breaking achievement. Yet Juan Antonio Samaranch, the President of the International Olympic Committee, refuses to resign. Shrugging off responsibility for the latest corruption scandal, he has called instead for a vote of confidence at an extraordinary IOC meeting next month. His move is a cynical attempt to save his career while sacrificing the six members most implicated in the corrupt awarding of the Summer and Winter Games to the winning cities. The affair, however, is far from over, and goes beyond squalid bribery. It has exposed the jealousies, power struggles and abuses of authority that lead directly to Señor Samaranch himself. Until he goes, the Olympic movement will remain blighted.

The former Spanish diplomat has never made a secret of his ambition. As Spanish Ambassador to Brezhnev's Soviet Union, he was accused of cosying up to the Russians as they were desperately trying to stop the post-Afghanistan boycott of the Moscow Olympics. Señor Samaranch spoke out strongly against the boycott; by coincidence, Moscow was one of the strongest proponents of his subsequent nomination as IOC President.

He promised, at the time, to be a clean broom to sweep out the age and dust that had settled in the IOC corridors. There were pointed reminders that Avery Brundage, the venerable former President, had been well over 80 when he retired in 1972, and had blighted his tenure with a reputation for autocratic behaviour. By 2001, when his term ends, Señor Sam-

## YOUNG EINSTEINS

### The Times and the Royal Institution put youth on a pedestal

The scientific life presents a paradox. While the greatest discoveries are almost invariably made by the young, the world's academies are occupied by the old. Professors in their sixties preside over departments in which the creative work is done by research students in their twenties, with no tenure and no guarantee of continued employment. When they publish papers, their names often appear below those of their supervisors. Recognition comes creeping slow, too slow for many who leave the profession in despair.

Of course, nobody ever pretended that becoming a scientist was an easy option. It takes years to build a reputation, so that by the time it is achieved the most productive years are past. Scientists win prizes not for work they did last year, but a decade or more ago. The prizes which Alfred Nobel intended to recognise the finest achievements of that year are usually given to old men, and less often women, for discoveries made when they were young. The weight of hierarchy hangs heavy over the whole enterprise.

Tomorrow evening at the Royal Institution in London, the first in a series of lectures by young scientists is to be given by an Oxford chemist, Martin Westwell, on antibiotic resistance. *The Times* is backing the lecture series, the idea of Professor Susan Greenfield, the new and energetic

director of the Royal Institution. Her intentions are twofold. First, she hopes in a small way to challenge the hierarchy of science by giving an opportunity to young scientists — those under 40 — to lecture in the theatre made famous by Humphry Davy and Michael Faraday. Secondly, she proposes to award the best lecture at the end of the year with a prize for scientific communication, a skill seldom rewarded in the normal order of things but increasingly recognised as vitally important.

She does not pretend that the lectures are more than a gesture towards redressing the balance in science. More needs to be done to improve the career structure of young scientists, and make them less subject to the weight of authority exerted by those who run departments. If a young patent examiner called Albert Einstein had needed a grant to pursue his researches in relativity, he would never have got one; nor would Charles Darwin have been allowed to set foot on *HMS Beagle* if he had known, and decided, that his experience there would unseat the Creator. Great science is subversive, bold, and risky — the very qualities of youth. Too much of today's science, by contrast, is conservative and pedestrian, dominated by committees and rules which inhibit true creativity. And we may never know what we have missed.

## Blair must halt Ulster 'mob rule'

From Mr A. D. D. Kent

Sir, You are to be congratulated in drawing attention to the continuing violence in Northern Ireland (reports from Martin Fletcher, January 11, 14, 20, 22 and 25).

If, during the first week of January, five Home Counties men had been shot by hooded thugs and a further dozen attacked since, not to mention the hundreds maimed during the last year, the matter would have had top priority, with calls from the media and MPs for immediate action.

Our Government, comfortably ensconced far away from this sickening daily round of injury and exile, must take action and give full support to those within the communities who wish it to stop, but are reluctant to speak out.

For a start, the Prime Minister might go on Ulster TV to explain how others feel: that such barbarous, unjustified behaviour sickens any civilised person; that these are not the actions of strong men but of weak, cowardly, inferior individuals; and, most important, that we expect the senior officials of all groupings to stamp it out now.

This psychopathic criminal behaviour is perilously close to mob rule.

Yours, A. D. KENT, Long Mynd, Upper Station Road, Henfield, West Sussex BN5 9PH. January 25.

From Dr Alan Sked

Sir, The news that Adam Ingram, the Northern Ireland Security Minister, is to meet "relatives of an IRA unit killed by the SAS while attacking a Co Armagh police station" (report, January 22) provides yet more evidence of the nature of the "peace process".

Daily, more and more criminals — murderers, bombers, arsonists, thugs — are released on to the streets; daily more punishment beatings are being reported. Yet the IRA, which has already broken one ceasefire, insists that it will decommission no weapons and warns us that the present ceasefire is also in danger of being broken.

The Government's response has been to appease it even further. The Prime Minister's promises, made (cynically? dishonestly?) before the Northern Irish referendum, have been carefully mothballed while Mo Mowlam has recently been reduced to silence.

The reasons are clear. Peace in Northern Ireland was brought about when it suited the IRA to get its most valuable terrorists out of prison. Now that that process is well under way, it can wait for more concessions or return to violence.

The question is whether the Government, having been duped once, will allow itself to be duped again. Or does it really believe that cross-border institutions for fisheries and tourism are what the IRA went to war to achieve?

Yours sincerely, ALAN SKED, Flat 3, Aberdeen Court, 68 Aberdeen Park, Highbury, N5 2BH. January 22.

## Sierra Leone conflict

From Lieutenant-Colonel Tim Spicer (retd)

Sir, I read with interest Sam Kiley's article today. "Send in the mercenaries, Mr Cook".

Sandline has always maintained its willingness to act in support of President Kabba and Econog. If democracy is to survive in Sierra Leone the time has come to stop pretending that there is any way to negotiate a permanent peaceful settlement with the RUF (Revolutionary United Front). We must take the gloves off, defeat them in the field and shut off their external support.

This is the third time that the RUF has virtually taken over Sierra Leone. The international community must wake up to the threat: surely it is now time for First World governments to engage private military companies which, in the absence of military support from the West, are prepared to demonstrate the pragmatic application of an ethical foreign policy?

A vicious organisation like the RUF, which arrogantly commits unspeakable atrocities against its fellow countrymen and treats the international community with contempt, deserves to be destroyed, not given the benefit of a negotiated settlement.

Yours etc, TIM SPICER, Sundine International, 35 Kings Road, SW10 0SZ. January 22.

## The wrong signal

From Mr Brian Walker

Sir, Sign seen recently in a Leeds mobile phone shop: "100 minutes free calls — only £2."

Yours faithfully, BRIAN WALKER, 23 Station Road, Tadcaster, North Yorkshire LS24 9TE. brian.walker@qmg.co.uk. January 19.

Letters should carry a daytime telephone number. They may be faxed to 0171-782 5046. e-mail to: letters@the-times.co.uk

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Corruption on an Olympian scale

From Mr George Moody-Stuart

Sir, The Olympic scandal (reports, January 23 and 25) may cause many people to question at what point a gift becomes a bribe.

For many years the standard definition of corruption has been one coined by J. J. Sennertia for the *Encyclopedia of the Social Sciences*, published in 1931: "The misuse of public power for private profit." This, however, is relevant to the receiver rather than to the payer.

In the latter case, Professor Wesley Cragg, writing in a recent issue of the *International Journal* (Canadian Institute of Public Affairs), has offered: "Any attempt to persuade someone in a position of responsibility to make a decision or recommendation on any grounds other than the intrinsic merits of the case."

In the United States it is a crime under the Foreign Corrupt Practices Act (1977) to bribe a public official from another country; and presumably the Justice Department will now be looking closely at Salt Lake City's bid for the 2002 Winter Olympics and perhaps Atlanta's earlier success also.

The OECD's Convention on Combating Bribery of Foreign Public Officials, which will have a similar effect in participant countries including the UK, does not come into force until February 15, 1999.

Meanwhile the President of the Australian Olympic Association is quoted (*The Sunday Times*, January 24) as saying, in relation to large cash payments made to the Kenyan and Ugandan Olympic Committees: "My view was that it might encourage them to consider their votes for

### Airport at Aldeburgh

From Mr Yann Borgstedt

Sir, The letter from the chief executive of Aldeburgh Productions and others about an airport three miles from Snape Maltings at Bentwaters (January 21) was long on emotion but short on information.

The US military airfield at Bentwaters coexisted happily with the Maltings for many years. There is no reason why that cannot happen again. We have told the new chief executive we would very much like to work with him to achieve that.

We are after all, talking about a local airport with projections of ten commercial flights a day in ten years' time, using quiet modern aircraft which will hardly be heard at The Maltings above the background noise of daily life.

Aldeburgh Town Council, which is equally concerned about the success of the festival, has no reservations about our airport to regenerate a derelict eyesore, creating 2,000 jobs with homes on the doorstep, while restoring local health and woodland. They have voted 11-2 in favour of our proposal.

After all we are not proposing

### Thatcher on leadership

From Mr Kenneth Harris

Sir, Magnus Linklater, in his most stimulating column, "A hole at the heart of this parliament" (January 21), recalls, with approval, the now famous words of Margaret Thatcher, "...you've got to have a togetherness, a unity in your Cabinet", and her belief in a Cabinet composed only of "the people who want to go in the direction which every instinct tells me we have to go. Clearly, steadily, firmly, with resolution".

Mr Linklater states that this courageous utterance was made "early in Thatcher's first administration".

In fact, she made it (to me, in an interview for *The Observer*) several weeks before the 1979 election, which many thought she would lose, at the head of a much divided party, most of whose leaders strongly disapproved of her view on how to run governments, some fearing her airing of them might cost her the election.

Yours etc,

KENNETH HARRIS, 45 Molyneux Street, London W1H 5HW. January 21.

### Problem shelved

From Mrs Imogen Mottram

Sir, Unable to find any tins of tomatoes in the canned vegetables section of a supermarket in Aberdeen (letters, January 18 and 20) I was directed to the Italian section, marked "Foreign Foods".

Yours sincerely, IMOGEN MOTTRAM, 15 Frewaters Close, Ickleford, Nr Hitchin, Hertfordshire SG5 3TQ. January 21.

### Seeking work

From Mr Timothy Gibbon

Sir, As someone who has been unemployed for a year, I was interested to read Mr Frank Field's letter (January 18). I am quite a bit older than 25.

I have just returned from my local jobcentre, having been invited for a routine interview, my sixth since August. The interview did not take place. Like all the previous five it was cancelled because there was no staff member available to conduct it.

I have no way of knowing how widespread is the problem of staffing in the employment service: but if my local office is representative, one wonders whether Mr Field's suggestion of a sophisticated monitoring system is really practicable. Even computer-generated data require a human being to evaluate them.

Yours faithfully, TIMOTHY GIBBON, Flat 8, 66 Parleight Road, Stoke Newington, N16 7TQ. January 19.

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### Tone of Sir Paul's call to parents

From Mrs Jenny Anderson

Sir, I am more offended by Sir Paul McCartney's message to parents (report and advertisement, January 25) than by his late wife's use of the F-word in her new single.

His sarcastic and mocking tone would more become a cocky, teenage pop star who is in the throes of youthful rebellion than an ageing one whose remarks should be tempered by his years and the responsibilities of parenthood. For shame, Sir Paul.

Yours, JENNIFER ANDERSON, 6 Hailey Lane, Herford SG13 7NX. jacksonz@global.net.co.uk January 25.

From Mr Rodney Gray

Sir, Your newspaper today contains a half-page advertisement by Sir Paul McCartney, but no address to which one may reply.

I hold Sir Paul in the highest regard. I am a great admirer of his work and that of his late wife, and I felt enormous sympathy with him when she died. I can accept, too, his views about the words to which he refers and that in many areas today they are in common use. I wonder if he can accept, however, that there are those to whom they give great offence. I for one have no wish to hear them on my radio or television, even though I am about the same age as Sir Paul.

While I fully support the rights of those who wish to buy the record and hear the lyrics, I also fully support those who seek to avoid giving offence to me and countless others by not bringing the words into my home.

Yours sincerely,

RODNEY GRAY, Homefield, Horndean, Berwick upon Tweed TD15 1XJ. January 25.

### Baths at Qumran

From Mr Robert Feather

Sir, Ms Gloria Moss, in her article in *Faith and Freedom* on the so-called "1st-century health spa" at Qumran (report, January 18), appears to ignore the evidence that the main activity of the community of Essenes at Qumran was prayer and devotion to holy texts.

Similar immersion baths to those at Qumran (which is not in Jordan, as you report, but in Israel) have been found elsewhere in Israel, and the community's writings make it clear that extreme cleanliness and ritual washing was essential to their way of life — hence the large number of baths. The community did have secrets, it is true, but these related to things other than medicines.

Yours faithfully,

ROBERT FEATHER, 35 Baxendale, Wh



## OBITUARIES

## MAJOR-GENERAL SIR CHARLES DUNPHIE

**Major-General Sir Charles Dunphie, CB, CBE, DSO, Chairman of Vickers, 1962-67, died on January 7 aged 96. He was born on April 20, 1902.**

**C**harles Dunphie had three careers: as a Gunner, as a commander of armoured forces and as an industrialist. He hit the headlines in the Second World War during the Tunisian campaign, when his 26th Armoured Brigade was rushed down from northern Tunisia, and succeeded in checked Rommel's breakthrough at the Kasserine Pass after the rout of the US 2nd Corps in southern Tunisia in February 1943.

The son of Sir Alfred Dunphie, a director of Coutts Bank and one-time assistant treasurer to Queen Alexandra, Charles Anderson Lane Dunphie was educated at the Royal Naval Colleges at Osborne and Dartmouth during the First World War. He intended to make his career in the Royal Navy but when the war ended the Navy reinstated its pre-war standards for eye-sight (relaxed since 1914) and he

failed the new eye test. He was instead offered a place at the Royal Military Academy, Woolwich, or at Sandhurst.

He chose Woolwich and was commissioned into the Royal Artillery in 1921. His early service was mostly with Royal Field Artillery and Royal Horse Artillery batteries in India and England.

His career as a Gunner came to an end in 1937. In 1938 he was posted to the new experimental Mobile Division on Salisbury Plain and was thereafter involved in armoured warfare and tank development, initially with the British Expeditionary Force in France between 1939 and 1940.

In 1941 he was promoted Brigadier, Royal Armoured Corps, at General Sir Alan Brooke's GHQ Home Forces, responsible for the deployment of armoured formations as they were raised to defend England from invasion. When the German threat faded and thoughts were turning to offensive operations, he was given command of 20th Armoured Brigade. He was not destined to take it into action: he was transferred instead to

command 26th Armoured Brigade which was nominated, as part of 6th Armoured Division, to be the leading British armoured formation in the Allied landings in French North Africa in November 1942.

In February 1943 the American *cri de coeur* from the Kasserine Pass brought his brigade southwards to help the US 2nd Corps. Reconnecting the pass personally on February 20, when the Afrika Korps assault group was attacking it, he realised that the American defence was failing apart. He ordered his motor battalion group — under Lieutenant-Colonel Adrian Gore — forward into a delaying position just north of the pass, while the rest of his brigade took up a defensive position some miles behind it, ready to block Rommel's thrust into the rear of the Allied line.

The American defence did collapse, but Dunphie's brigade fought the 10th Panzer Division to a standstill before it could reach the important town of Thala. Rommel, realising that there was no quick victory to be had at Kasserine, gave

up and withdrew southwards to strike at Montgomery's Eighth Army, which had entered Tunisia and was threatening his rear.

Dunphie was awarded the DSO for his action in blocking the vital Kasserine-Thala road.

General Sir Harold Alexander, who had just arrived to take command of the Tunisian front, decided that something must be done quickly to improve the handling of American formations. He persuaded General Patton, who had taken over the defeated US 2nd Corps, to accept British officers on temporary basis in his corps, divisional and combat command headquarters. Dunphie became his Assistant Chief of Staff for the rest of the campaign, getting on extremely well with him and his staff. He was wounded and awarded the US Silver Star, but knew nothing about the award until he later met Patton, who noticed that he was not wearing the ribbon. Patton had his own cut-off and pinned on Dunphie's battle dress.

Dunphie returned to England in June 1945 to become deputy director of the Royal Armoured Corps in

the War Office, where he was closely involved in armoured fighting vehicle development. He was a natural choice for the appointment of Director General of Fighting Vehicles in the Ministry of Supply at the end of the war. It was then but a short step into his third career as an industrialist.

In 1948 he was headhunted by Vickers, becoming managing director in 1956 and going on to be chairman from 1962 to 1967. He was on the boards of several other companies associated with the armaments industry, and also of the Westminster Bank and Royal Exchange Assurance. He ended his industrial career as chairman of English Steel. He was knighted for his services to British industry in 1959, and he was a member of Her Majesty's Honourable Corps of Gentlemen-at-Arms, 1952-62.

His first marriage was in 1931 to Eileen, daughter of Lieutenant-General Sir Walter Campbell. After she died in 1978, he married in 1981 Susan, widow of Colonel P. L. M. Wright. She and the son and daughter of his first marriage survive him.



Dunphie: to the rescue of the Americans at the Kasserine Pass in 1943

## JOHN HARRISON

**John Harrison, prison governor, died of lung cancer on December 26 aged 55. He was born on June 15, 1943.**

THE past three decades have been especially difficult in the prison service. Overcrowding, escapes, riots, state industrial action and resource shortages combined to make the task of John Harrison's generation of prison governors extremely daunting. Surviving from one day to the next without disaster was too often the priority; improving establishments frequently appeared near impossible. Yet, despite this background, Harrison succeeded in keeping the establishments he governed on an even keel.

His father, N. H. Harrison, had been Governor of North Sea Camp Borsal in Lincolnshire and then Governor, Class 2, of the larger Portland Borsal in Dorset. During his career, the Harrison family moved quite frequently between prison quarters, estates, generally close to establishments. Working par-



Harrison: a flair for getting through to staff and prisoners

ties of offenders were frequently in evidence, so John grew up accustomed to offenders and to penal establishments. This stood him in good stead when he entered the Prison Service in 1969. He was always very proud of his family links with the service: for him it was never just a job. A big man, he played rugby for years and was an England trialist. His sporting prowess, which extended far

beyond rugby, helped him to build relationships with both staff and prisoners. He was a man's man, quick-witted, with a great sense of humour and a gift for telling stories, all of which led to his being liked right across the prison community.

A tough fighter for issues he regarded as important, he had a flair for getting his message across to both staff and prisoners. But he was also a very

private man, with considerable inner strengths, especially noticeable in the way he coped with his final illness.

John Louis Harrison was born in St Albans. He attended Roachdale, Maidstone and Hampton Grammar Schools. On leaving school in 1961, he joined a firm of estate agents in Boston, Lincolnshire, which fostered a lifelong interest in antiques and collectables. His rugby in this period included playing against the touring Springboks in 1969. It was also during this time that he met Christine Smith, whom he married in 1971.

In 1969, while teaching part-time at North Sea Camp, he was approached by the Governor, Michael Selby, who suggested that he might follow in his father's footsteps and join the Prison Service. After selection and training he was posted back to North Sea Camp, where one of his first jobs was to supervise a work party charged with demolishing the old prefabricated quarter that he had lived in as a boy. His potential was quickly

recognised and in September 1970 he joined the staff course at the Prison Service College, Wakefield, on promotion to assistant governor. Afterwards he was posted to Morton Hall, Lincolnshire, and then Huntercombe in Oxfordshire, both small Borsal institutions. Promotion to deputy governor came in 1978, and he moved to Rochester borsal, a reflection of his ability in work with young offenders.

In 1982, to widen his experience, he was transferred to the South East regional office. This was a time of acute population pressure, resulting in prisoners overflowing into police cells, causing considerable political embarrassment. Managing incidents and the consequences of staff strikes was also part of Harrison's brief, and he proved very good at these demanding tasks and reliable under pressure. He was soon selected for promotion to Governor Class 3 and posted to Wandsworth Prison as deputy governor, his first emeritence of working with adult prisoners.

Further promotion to Governor Class 2 quickly followed, and he was then given responsibility for overseeing all the young offender and women's establishments in the South East. This was the time of the introduction of "Fresh Start", a radical change to staff conditions, and Harrison quickly gained the respect of his governor colleagues.

He was given his first command in 1990, when he took charge of the Young Offender Institution at Stalham in Shropshire. In 1991 he transferred to Canterbury Prison, bringing him much closer to his home in Surrey. Prison populations were growing very fast as a consequence of Michael Howard's "prison works" policy. Canterbury took its share of the increase, and Harrison's priority was maintaining stability.

He was especially pleased to be selected for further promotion to Governor Class 1 in 1994, and after a short spell in charge of Frankland Maximum Security Prison near Durham and some months working on policy at Prison Service HQ, he took charge of Risley Prison in Cheshire in 1995.

Risley was a complex and unusual prison with a difficult history, but he largely succeeded in maintaining its positive regime in the face of severe budget reductions. This took all his skill and determination, and involved difficult negotiations with local trade unions. He also laid the foundations for an important initiative to tackle drug offending, something he was still developing when his final illness overcame him.

John Harrison leaves a widow, Christine, and two sons and two daughters.

## THEO MATHEW

**Theo Matthe, Winstons Herald at the College of Arms, 1978-97, died on December 24 aged 56. He was born on April 7, 1942.**

AS ONE of the royal heralds

they took part annually

in the State Opening of

Parliament, and the Garter

Service at Windsor Castle.

These were roles he greatly

enjoyed, as he had a certain

weakness for uniforms and

decorations, which is not un-

known in his profession.

Statu ceremonial is the most

public aspect of the work of the

heralds but the far greater

part of their time is devoted to

heraldic and genealogical re-

search, entering pedigrees in

the College of Arms registers,

overseeing heraldic artwork and

designing new coats of arms, of

which about 180 are granted

each year. The dry tasks of

drawing up pedigrees and

making searches in the

college records did not always

prove sufficiently diverting for

Matthe's imaginative mind.

Besides ceremonial, it was the

creation of new arms which

gave him the greatest pleasure.

He would never delegate

the preparation of sketches of

proposed arms to a college

artist but drew them him-

self with often painstaking at-

tention but, as he was the first

to admit, variable results.

Theobald David Matthe

was born in London, the son of

Robert Matthe, and Joan,

elder daughter of Sir George

Young, 4th Baronet. He was

educated at Downside and

Balliol, where he read history.

An early false start to his

career provided a sharp con-

trast to his family's previous

distinction in the legal profes-

sion — a contrast which he

viewed with a characteristic

perverse pride and amus-

ment. His great-grandfather,

Sir James Matthe, was, as he

would often relate, a Lord

Justice of Appeal; his grandfa-

ther, another Theobald Ma-

the, a recorder, and also a

author of four volumes of

*Forensic Fables*; his father a

solicitor; and the young Theo

for a period an articled clerk

with Frere Cholmeley.

Not finding the law to his

liking he went to work as a

research assistant to Sir An-

thony Wagner, then Garter

King of Arms, whose proteg-

ee he became. He served as a

Green Staff Officer at the

investiture of the Prince of

Wales in 1969 and was appoint-

ed Rouge Dragon Pursuivant

the following year. He relin-

quished that office when ad-

vanced to Windsor Herald in

1978, with some relief, musing

that at only 5ft 6in tall he failed

to meet expectations of appear-

ance, and that Rouge Dragon

should be at least 6ft 6in with a

thick growth of bright ginger

hair.

Theo Matthe was a bache-

lor of modest private means,

and of generally simple but

occasionally extravagant and

romantic tastes. A portrait of

19th-century member of his

family, Father Theobald Ma-

the, the Irish "Apostle of

Temperance", gesturing to

the camera with a broad

smile, hangs in his study.

Realising that he did not

have the dedication to his

profession necessary to secure

further advancement, he

watched stoically as more



# NatWest appoints 93 area franchise managers



BY RODNEY HOBSON

NATWEST BANK has consolidated its position as the leading bank providing services to franchising by appointing a network of franchise managers located around the country.

Some of the 93 new area franchise managers will be at the National Franchise Exhibition at the G-Mex Centre, Manchester, next week. NatWest will retain its head office staff of eight under Peter Stern, who has been head of franchising for 16 years.

He said the network intended to

cover the whole of England, Scotland and Wales, had been developed in response to the continued growth of franchising in the UK. Recruiting has taken place over the past nine months.

Mr Stern said: "The introduction of our new franchise managers is another positive step in helping new and existing customers to succeed in this growth area. Franchising is big business, accounting for a fifth of all UK retail sales. Not only is franchising taking off in the UK – in Europe we are seeing rapid growth. That is why last year we went into partner-

ship with four leading European banks."

NatWest is currently compiling its annual survey in conjunction with the British Franchise Association. Results will be published in March. Last year franchising turnover was reported at £7 billion, with 568 franchise systems operating 29,100 outlets and employing 273,800 people.

Total franchise turnover in Europe is estimated at more than £60 billion, with more than 3,800 franchises operating 167,000 franchised outlets and employing 1.5 million people.

CII, the organiser of the G-Mex exhibition on February 5 and 6, reports that 75 stands have been booked. They include Signs Express, which will begin its 1999 recruitment campaign at the event.

David Corbett, managing director of Signs Express, said: "We believe there are significant opportunities for signage business, especially in the North of England, where we would like to open more outlets."

Also taking part will be Kali Kwik,

the print and design franchise, which achieved total turnover of

more than £70 million last year. CII also organises annual franchise exhibitions at Wembley and in Glasgow.

Miller Freeman, organiser of the franchise exhibition at the National Exhibition Centre, Birmingham, said that 11,224 visitors attended the event last October.

It is the first time that the attendance has been audited independently by ABC. The figure excludes organisers, NEC personnel and re-entries.

Futura Kids, one of the fastest-growing franchises in the country, will be taking a stand at Manches-

ter. It provides computer literacy training for children, adults and teachers and already operates in 75 countries, training 100,000 children a year.

It was founded in Los Angeles in 1983 on the premise that learning computer skills would be as important as learning to read and write. In Britain, it works in partnership with the Institute of Education, the University of London, the Joint Examining Board and, in hospital schools, the National Association for the Education of Sick Children.

## Signs point to prospect of growth

BY RODNEY HOBSON

AN EVER-GROWING list of franchises, many in areas not previously covered by franchise systems, is on offer to would-be entrepreneurs.

A new franchise has been set up to service and manage estate agency "For Sale" signs.

"For Sale" boards outside properties in Britain at any one time. Fewer than half of all properties on the market had boards outside ten years ago. Now the figure is almost 80 per cent.

Despite indications that the housing market could slow down along with the rest of the economy, Agency Express is stepping up its search for franchisees across the country. It claims that when the market is depressed and it is difficult to sell houses, a greater percentage of properties on the market have sale signs outside.

In addition, Agency Express said it has spotted lucrative new opportunities for shorter-term signs including homes for rent and commercial properties for leasing. The franchise system is an offshoot of Signs Express, which is based in Nor-

wich and now has 65 outlets. The initial cost of an Agency Express franchise is £9,950, which includes a ten-year agreement, the deposit on a van and specialist equipment.

After the success of pilot operations last year, Wicked Wheels is ready to recruit two franchisees a month. An investment costs £25,000. Wicked Wheels is a mobile alloy wheels refurbishment service designed to make corroded and damaged wheels look like new.

Stephen Wood, of Leighton Buzzard, Bedfordshire, spent £300,000 and two years developing mobile equipment that can shotblast, repair, repaint and relaunch alloy wheels from cars, vans and motorcycles.

Mr Wood said: "Car dealers and fleet managers can add hundreds of pounds to the value of their used vehicles by bringing them back to as new. It is an easy message to sell in a market that we have already proven with our sister franchise business Paint Technik." The service is also aimed at classic car specialists. The cost is about £30 a wheel.

Prospective franchisees ought to check out any franchise system and if possible talk to existing franchisees before signing up. New franchise systems should have run a pilot project.



Class of their own: ex-teachers David and Julie Mitchell prefer handbells to school bells

## Town centres get smart to win back shoppers

A SMARTCARD has been introduced to win shoppers back to town centres, where independent businesses have complained for years about unfair competition from superstores (Rodney Hobson writes).

The card is already in use in more than 150 shops in Nottingham.

Paul Ashley, managing director of Touch, a London company that has developed the card first in Nottingham at the city council's invitation, said: "Our aim is to bring customers back into high streets and fight out-of-town hypermarkets."

Although the Nottingham signatories include big businesses such as Ravel and Knickerbox, most are small independent companies. These have been more prompt in their dealings with the card issuer.

"It is easier to get a decision from the small company," said Mr Ashley. "The matter does



Knickerbox has already signed up for smartcards

not have to be referred to anybody else."

Card users in Nottingham receive a 2 per cent discount on purchases and savings of up to 10 per cent at the city council's indoor leisure centres.

A participating business receives a free list of all cardholders.

## Radar homes in on smallest employers

BY BRIAN COLLIET

A CONFERENCE has been called by the charity Radar to encourage small businesses to employ disabled people.

Many of the businesses targeted by Radar – the Royal Association for Disability and Rehabilitation – have fewer than 15 staff and are not covered by the legislation on employing disabled people.

Radar will offer specific advice for businesses and will detail the kind of "reasonable adjustments" that the legislation stipulates should be made to accommodate disabled employees. "This may

not be as simple as giving somebody time off for physiotherapy," said Nick Goss, Radar's education, training and employment officer.

He believes that operating and monitoring a policy on disabled employees is easier in a business with a small staff. Allowing staff to work from home could also be easier to monitor.

The conference is at the Royal College of Physicians on April 19. Small business organisations as well as employers have been invited. Inquiries: 071-230 3222.

## Hospitality jobs to soar

EMPLOYMENT in London's hotel and catering business will rise at four times the capital's average employment growth rate over the next two years, a report issued today says (Brian Collett writes).

Yet this sector has the highest number of employers reporting shortages of skilled staff.

The report, drawn up by the London Skills Forecasting

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"I'm hoarding for the recession"

REEDS

A two-page special report on Charter Mark, the scheme that is breeding a new culture in many of our public institutions

# Top marks for serving with pride

**I**t has not been a particularly happy new year for the public services. The influence that swept through Britain highlighted the measure under which much of the NHS operates. The Bramley affair reawakened concerns over adoption. Meat inspectors threatened to strike. Tony Blair expressed concern about inner-city schools. There were serious revelations about the Flying Squad. All of this suggested that there are serious weaknesses in some of our most important public institutions.

But do these headline stories typify the public service as a whole? Is every hospital brought to a halt by winter flu? Are all schools in turmoil? And what do headlines mean for the less high-profile services – libraries, leisure centres, engineers, and post offices – which nevertheless play an important part in our daily lives?

The Charter Mark awards announced today – bestowed by the Government on 1,200 organisations – go some way to restoring the balance. First awarded by John Major, the Charter Mark has been continued and expanded by Labour to recognise quality in the public service, encourage improvement and provide models of good practice.

But, significantly, the Charter Mark is not about money. As one winner put it: "High standards don't depend on funding alone. When put to the test, we are forced to examine how we use the money we have got. More inventive management, better communications with users and clearer standards can all help to lift the calibre of delivery without

service and particularly with in the NHS. "It has helped to make us much more aware of the patients and their point of view," she says.

The tradition within the NHS has been that everything revolves around the consultants. Charter Mark is starting to put the patient at the centre of the service. Ms Walther believes that the process of entering for the award is worthwhile in its own right: "The principles are very simple, very clear and we ought to be working towards them in any case. By entering for a Charter Mark, you gain the benefit of an objective external audit of your service and valuable feedback from the Cabinet Office. What's more, it's free. To get a similar service from an external consultant would cost thousands of pounds."

Ms Walther has used the Charter Mark scheme as a development tool for her hospital. For example, it helped to inspire the launch of a regular newsletter for outpatients. When the flu epidemic struck, the hospital used the newsletter to explain what was happening and to ask users to be patient. It helped people to cope with the crisis.

Charter Mark is gaining gradual recognition from the public as a mark of quality. Significantly, the change of heart among Labour-controlled local authorities – many of whom had initially boycotted it as a piece of Conservative sleight of hand – means that Charter Mark has become acceptable across the political divide. Its place in society now looks secure.

EDWARD FENNELL

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**Awarded for excellence**



Chiltern Railways has invested more than £30 million to improve services, as well as installing CCTV to increase security at car parks

## Pressure breeds success

**John Young profiles some of the winners who have quietly made improvements in their field**

**T**he list of this year's award winners provides a reminder both of the variety of public services in Britain and of the potential for improvement.

The successful entrants represent sectors currently under intense critical scrutiny such as hospitals, schools and railways: there are those from more consumer-oriented areas such as tourist information and the provision of sports facilities.

There are even organisations such as the Inland Revenue and prisons. In the case of the latter, there is undoubtedly scope for improvement, but progress is not always easy to measure.

In Sunderland, the City Hospitals NHS Trust has won its fourth Charter Mark despite staff shortages. Nurses from South Africa have been recruited to ease the problem. The day care unit now treats nearly two thirds of the hospital's patients, enabling them to return home on the day of their operation.

The eye infirmary and the neurophysiology department, which provides a high-quality

mobile service, have both been reaccredited.

The Sir Winston Churchill Comprehensive School in Woking, Surrey, with a student population of about 1,500, is seeking to re-establish the sixth form it lost in the Seventies. The Government's Schools Inspectorate puts it among the top 160 schools in Britain.

Michael Staples, the school's pastoral manager, points to its "tracking system" which allows pupils' exam results to be fed into a computer before being used to assess whether they are doing well.

Holy Cross High School in Chorley, Lancashire, has introduced "Going for Gold" awards to stimulate achievement in lessons and in sport, and to boost attendance and extracurricular activities such as volunteer work for charities. Under the school's monitoring system, individual tutors are assigned to pupils experiencing difficulties.

Parklands Junior School, in

Romford, Essex, has already been awarded Investors in People status. Gine Gardiner, the principal, sees a Charter Mark as a natural progression, attributing the school's success to its emphasis on high standards and on teamwork involving staff, pupils, parents and the community.

The Land Registry, which oversees 24 district offices from its headquarters in Lincoln's Inn Fields, London, holds the records of more than 16 million titles, most of which are now stored on computer. It has recently introduced a pilot scheme for a national land information service, and hopes to revolutionise homebuying by introducing computer, conveyancing to cut out expensive searches. This is the third successive year in which the registry has been awarded a Charter Mark.

James Pearson, the deputy head of information, says reaching such heights gets harder all the time. "We must demonstrate consistently improving standards," he says. "It is not enough to stand still.

One of the things that impressed the assessors was our independent complaints procedure.

"Although as a monopoly, which the public is forced to use, we are not subject to market forces, we are nonetheless very customer-oriented and are constantly developing and improving our services."

Since privatisation, most of the railway companies have been under fire almost as consistently as was their predecessor, British Rail. Happily, there are some exceptions.

In South Yorkshire, the Passenger Transport Executive has concentrated on replacing cold, bleak waiting rooms with integrated rail and bus interchanges.

The Rotherham Interchange, near the railway station in the town centre, opened in 1996 – provides a bus station, car park, information centre and a shopping area.

A similar interchange, in Barnsley, opened in 1992, which incorporates the railway station, is to be expanded to encompass the adjacent bus station, formerly privately owned. A similar project is planned for Doncaster.

**It's nice to be recognised for the excellence of something else than**

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# Perfect platform for trainspotters

**T**hose whose interest in railways encompasses the historical rather than the day-to-day practicalities of getting around are likely to be familiar with the National Railway Museum in York.

The largest of its kind in the world, the collection includes 163 engines and 280 items of rolling stock, while the archives contain 1.4 million photographs, 23,000 engineering drawings, 15,000 books and 7,000 posters.

Graham Stratford, the museum's head of public affairs, says that applying for the Charter Mark helped to unite and focus staff: "We know we exist in a competitive environment, and to keep our slot as one of the most visited attractions outside London — 430,000 last year — we have to go on meeting and exceeding our visitors' expectations."

What York is to trains, Portsmouth is to ships — and to the Royal Navy in particular. Reductions in the size of the dockyard and falling employment in ancillary industries have forced the city fathers to look to tourism as an alternative source of revenue.

The council has set up three tourist information centres — overseen by the English and Southern Tourist Boards — which handled 370,000 inquiries last year. 15 per cent of them were from abroad. All the permanent and most of the temporary staff speak at least one foreign language.

Birmingham's transformation from the grimy "work-

shop of the world" into a city with serious cultural ambitions is reflected in the fact that it has the largest local authority museums service in Britain.

At its heart is the Museum and Art Gallery, which houses the world's leading collection of Pre-Raphaelite art; it recently presented a successful Burne-Jones exhibition. The Birmingham city authority also runs the Museum of the Jewellery Quarter, which reflects the early years of the century, and Aston Hall, one of the finest Jacobean houses in the country. The Charter Mark assessors were impressed by visitors' positive comments:

Belfast's Zoological Gardens, established in 1934, have in recent years provided a haven for recreation and education in a city plagued for so long by violence and destruction. The zoo has won several prizes for animal husbandry and the design of its enclosure. Now it has added a Charter Mark award for its facilities, service and value for money.

In Torquay, the Riviera Centre has won two Charter Mark awards for its conference bureau and its sports and leisure department. Sarah James, of the conference bureau, says that bookings extend well into the next millennium with more

restrictions needed, in some cases this cuts casualties by half.

"Our investigations are carried out to the highest standards, comparable to those methods employed by the CID," Inspecta Haslam says. "We have officers trained to provide care and support for bereaved relatives, and the letters of appreciation we get far outnumber the complaints."

The Inland Revenue's much publicised attempts to present a more humane face to the public have been rewarded by the granting of 11 new Charter Marks, bringing its total to 19.

The winning offices, mostly in the North of England and in Scotland, include Shipley in West Yorkshire, where more than 1,000 staff have been trained to use "plain English" and to provide a streamlined telephone answering service for customers, most of whom live more than 200 miles away. In Bootle, on Merseyside, tax workshops have been organised and customers are invited to visit the office.

The Inland Revenue's South Yorkshire region, with its headquarters in Sheffield, employs some 4,200 staff in 33 offices and carries out regular complaints surveys to determine the levels of customer satisfaction.

The Buckie tax office, on the remote Moray coast of northeast Scotland, which employs just 16 people, has organised an appointments system for its 6,400 customers. This helped it to earn its second Charter Mark award.



Living history: Platform 4 resident theatre group as Brunel and Stephenson at the National Railway Museum

## Scheme wins Labour's approval

**E**dward Fennell on how Charter Mark's ethos of putting customers first fits the Government's strategy

ONE of the biggest practical challenges facing this administration is how to deliver on its commitment to "joined-up Government". Behind the near catchphrase is a complex exercise in re-engineering the way public services are planned and delivered by emphasising co-operation between departments — whether in Whitehall or the town hall.

But for bureaucrats to co-operate often goes against the grain of territorial protectiveness. So a set of tools is now being used to weld services together. Among them, Charter Mark has an important role to play.

Admittedly when Labour arrived in power it needed to be convinced that Charter Mark was a worthwhile undertaking. But an evaluation of the scheme produced some impressive results. Charter Mark organisations were shown to perform considerably better than the norm. Staff morale was higher. And feedback from the public showed

that they were better consulted by Charter Mark organisations. As a result the Government decided not to scrap the award — but to expand it.

Yet if Charter Mark was to gain a new Labour character it had to support the "joined up" approach. Fortunately that is not difficult. Charter Mark is about putting the public, not the providers, at the centre of the service.

Getting rid of rivalries and abandoning turf wars between public servants is part of this process. As Peter Kilfoyle, Parliamentary Secretary in the Office of Public Service, puts it: "There have been substantial improvements in public service delivery by a number of government bodies — especially in the agencies. But these improvements are not always coherently connected. I want us to do much more to see the customer's point of

view. Citizens dealing with life's events — marriage, retirement, long-term care, whatever — want a package of services tailored to their needs. They do not want to trapse round public sector agencies. We must make things easier for them through one-stop shops, tighter co-operation, collaborative electronic service provision, better signposting, between services or whatever suits best."

Reflecting this approach the new Charter Mark criteria for this year include the need to work with other providers. Charter Mark also complements naturally the new Best Value programme through its emphasis on consulting users and reviewing standards of performance.

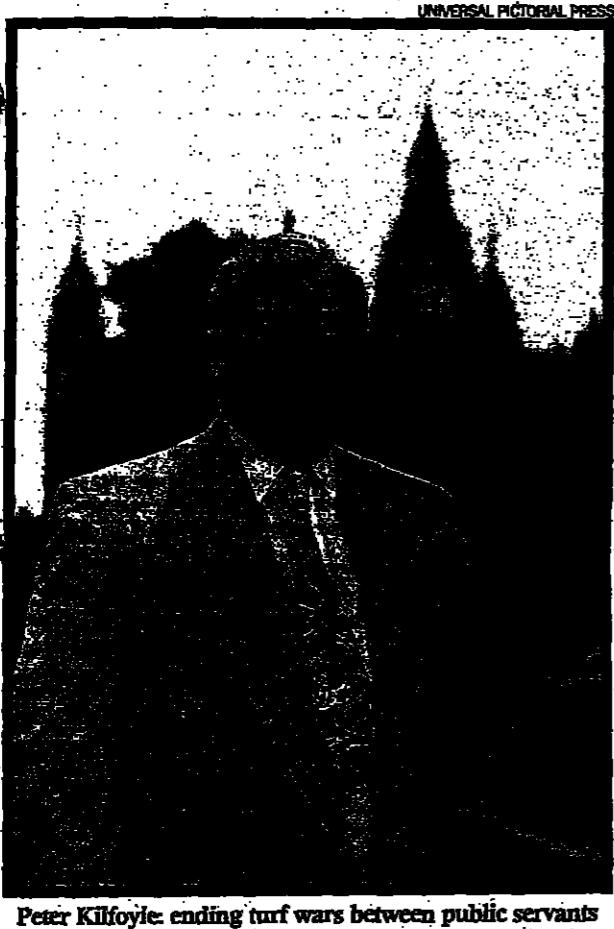
The forthcoming White Paper on modernising Government will emphasise Charter Mark's role in promoting this customer-focused

Health Department's bus takes services to the people. Birmingham council now operates 43 one-stop shops. And the National Museum of Scotland has a junior board of 12 schoolchildren. All three organisations are 1998 Charter Mark winners.

But co-operation does not disguise the fact that Charter Mark does have a hard edge. Mr Kilfoyle says there must be greater exposure to the public. "Charter Mark winners must have customer service standards which are transparent and open. Performance

against them must be assessed and subject to public scrutiny."

Perhaps the final link in the new framework of co-operation is between Charter Mark itself and the other quality awards. Mr Kilfoyle says: "Charter Mark is a tried and tested scheme. There is no doubt that it enhances public service delivery. Finally, let's not forget the workers. What is good for the users of services must also be good ultimately for those who deliver them. Charter Mark winners have high self-esteem."



Peter Kilfoyle: ending turf wars between public servants

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## NEWS

## Straw in adoption call

■ Jack Straw was at the centre of a storm last night after saying that more teenage mothers should give up their babies for adoption. The Home Secretary blamed "well-meaning but misguided" social workers for over-estimating the ability of many young women to cope with the financial and emotional burdens of motherhood. **Page 1**

## Meeting at the altar

■ It was billed as a "scientific experiment in love" and after an intimate ceremony attended only by close family, friends and a national television company, the guinea pigs in Britain's first "blind" wedding were declared man and wife. Carla Germaine, 23, a model, and Greg Cordell, 28, a sales manager, met for the first time and were married at 1pm yesterday after winning a radio competition. **Page 1**

## Clinton chaos

Leading Republicans squashed a new attempt to complete President Clinton's trial this week in a day of plots and accusations that left the impeachment process in chaos. **Pages 1, 15**

## Kidnap case

A man accused of kidnapping and assaulting two schoolgirls said that he wished that he could turn back the clock. **Page 1**

## Gay law plea

A Tory MP made a call for the reduction of the age of homosexual consent which he said was akin to ending slavery. **Page 2**

## Extradition request

Yemen asked Britain to extradite the extremist Muslim cleric Sheikh Abu Hamza al Masri, whom it accuses of masterminding the kidnap of 16 Western tourists last month. **Page 3**

## Race gang death

Michael Menson, the black musician who died after being found on fire in the street, was the victim of a racist gang linked to a series of such attacks. **Page 5**

## 'Mad cow' inquest

A single meal of beef may have been responsible for the death of the first known victim of the human brain disorder linked to "mad cow" disease, an inquest was told. **Page 7**

## Immortality with the mystical 59

■ It was, in its way, like six sixes in an over to win a cricket match or breaking a world record to win a gold medal in the 1,500 metres in the Olympic Games. What David Duval, the American golfer, achieved was nothing less than a slice of sporting immortality. A score of 59 in golf is a mystical figure, a barrier that goes beyond the psychological. **Page 1**



David Hockney with his 'A Closer Grand Canyon, 1998' announcing an exhibition at the Georges Pompidou Centre in Paris yesterday

## Road blocker

A lecturer who gave up home and career to be an anti-roads protester was blocking the last stage of a new bypass. **Page 8**

## Spielberg triumph

Steven Spielberg paid tribute to D-Day veterans as *Saving Private Ryan* was voted best film at the Golden Globe awards. **Page 9**

## Houses of art

Two houses overflowing with paintings have been left by a reclusive artist of 90 who refused to sell his work. **Page 11**

## Iraq accusation

Iraq accused American and British military aircraft of firing missiles into residential areas in the port of Basra. **Page 12**

## King's heir

King Hussein of Jordan has ended days of speculation and confirmed by royal decree that his eldest son, Prince Abdullah, 36, is his heir in place of the King's 51-year-old brother, Prince Hassan, who had held the position of Crown Prince for 34 years. **Page 13**

## Mercenary anger

As Sierra Leone's rebels continue to murder priests and missionaries and amputate the limbs of civilians, battle-hardened mercenaries are vowing their willingness to "do the job for nothing – just to finish the rebels". **Page 14**

**Driving move:** Federal-Mogul made a £3.9 billion offer for Lucas Varity, the car parts group, in a move to put pressure on the board to discuss a takeover. **Page 27**

**Peace efforts:** There were frantic peace efforts at the Mirror Group to try to avoid an outright confrontation within the board over the company's future. **Page 27**

**NTL boost:** The UK cable industry was given a significant boost when Microsoft, the US software giant, took a five per cent take in NTL for £300 million. **Page 49**

**Markets:** The FTSE 100 index yesterday rose 19.70 points to 5880.9. The pound rose 0.33 cents to \$1.6574 and 0.27p against the euro to 69.75p. The sterling index rose to 100.2 from 99.8. **Page 49**

**Rowing:** The Boat Race is to be sponsored for the next three years by Aberdeen Asset Management. They succeed the gin manufacturers Beefeater, who backed the race for 12 years. **Page 49**

**Athletics:** Mystery surrounds the identity of the British athlete at the centre of a doping scandal, despite the confirmation of a positive drug test. **Page 52**

**Football:** Stan Collymore intends to seek counselling to help him overcome "pressures and stress" after his absence from Aston Villa's fourth round FA Cup match against Fulham. **Page 49**

**Tennis:** Andre Agassi, the No 5 seed, was knocked out of the Australian Open by Vince Spadea, the world No 44. **Page 47**

**Hunting:** The Boat Race is to be sponsored for the next three years by Aberdeen Asset Management. They succeed the gin manufacturers Beefeater, who backed the race for 12 years. **Page 49**

**Rowing:** The Boat Race is to be sponsored for the next three years by Aberdeen Asset Management. They succeed the gin manufacturers Beefeater, who backed the race for 12 years. **Page 49**

**Baths in the air:** If you thought juggling was not an ideal medium for the portrayal of human tragedy, Lionel About and Vincent Bruel prove otherwise. **Page 36**

## PHOTOGRAPH BY PHILIPPE KLEIN/PHOTOGRAPHY

Preview: Then code-breakers who saved Britain in 1941: *Station X* (Channel 4, 9pm) Review: Joe Joseph discovers that rising damp can be visible. **Pages 50, 51**

## Christians in peril

Asian Christians are under assault as they have not been in living memory, why they should be singled out. **Page 19**

## Samaranch must go

Under Señor Samaranch, the Olympics have lost direction, vitality and now credibility. If the movement is to be saved, he should resign forthwith. **Page 19**

## Young Einsteins

Great science is subversive, bold, and risky – the very qualities of youth. Too much of today's science is conservative and pedestrian, dominated by committees and rules. **Page 19**

## LIBBY PURVES

Admiral Lord Lewin has died; and though he was pushing 80, and I had known him for barely five years, the sense of outraged loss will not fade. **Page 18**

## SEAN O'CALLAGHAN

We have been, and are still being led to believe, that the IRA, UVF and UDA are observing ceasefires. This is palpable nonsense. **Page 18**

## MICHAEL GOVE

The Lawrences deserve to see justice done. I believe, however, that the search for a scapegoat is not justice. And the Stephen Lawrence Inquiry has too much of the whiff of Salem. **Page 18**

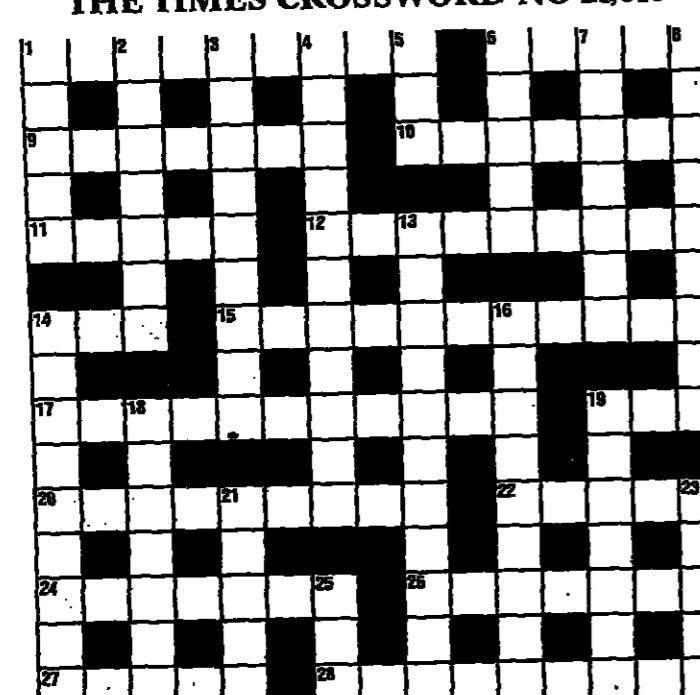
## PETER RIDDELL

Businessmen have often struggled to make a mark at the very top but they have contributed at the medium level, as Lord Simon and Lord Sainsbury now are, by providing private sector insights. **Page 11**

**Major-General Sir Charles Dunphy:** Chairman of Vickers; John Harrison, prison governor; Theo Mathew, Royal herald. **Page 21**

**Olympic ideal:** Paul McCartney. Ulster violence; deafness; job centres; giddie age. **Page 19**

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TODAY



## ECONOMICS

Anatole Kaletsky  
on Brazil and the  
wrong medicine

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## ARTS

See him here, see  
him there: actor  
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## LAW

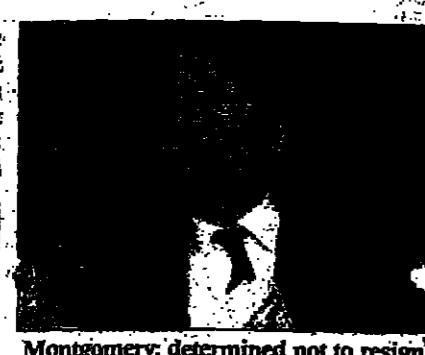
Why is the OFT  
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TELEVISION  
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BUSINESS EDITOR Patience Wheatcroft

TUESDAY JANUARY 26 1999

# Mirror directors face showdown today



Montgomery: determined not to resign

By RAYMOND SAWYER  
MEDIA EDITOR

LAST-MINUTE efforts were being made last night to avoid a damaging confrontation at today's board meeting of Mirror Group between Sir Victor Blank, its chairman, and David Montgomery, the chief executive.

Sir Victor had been expected to put a motion before the board seeking the removal of Mr Montgomery, who has run the newspaper group since the death of Robert Maxwell. Mr Montgomery is determined not to resign and will oppose any attempt to unseat him. Sir Victor believes that he has the

support of most, if not all, of the company's non-executive directors, while Mr Montgomery believes that he can rely on the votes of the executive directors.

The dispute comes in the midst of potential takeover bids for the group, which publishes *The Mirror*, the *Sunday Mirror* and *The People*. It also owns Midland Independent Newspapers, the regional publisher.

Regional Independent Media, publisher of the *Yorkshire Post*, is awaiting more information in the hope of making a formal bid, possibly in excess of its offer of £913 million, or 200p a share, already on the table.

The situation is being closely watched by

Trinity, the largest UK regional newspaper group, which withdrew from talks on an all-share deal at about 160p.

The move against Mr Montgomery is being fuelled by the fact that he is seen as a barrier to a deal with Trinity, something that appears to Phillips & Drew, the largest Mirror shareholder, with a 22 per cent stake.

It is believed that Sir Victor and other Mirror directors were being advised last night that a formal vote that would split the board would not be in the interests of the company or its shareholders.

A Mirror takeover by RIM or Trinity would lead to an automatic reference to the

Monopolies and Mergers Commission. A full inquiry could take up to the six months.

It was unclear last night whether Sir Victor, who became chairman of Mirror Group six months ago, will seek a confrontation at today's meeting. If he does, one tactic for Mr Montgomery would be to seek a postponement with the backing of executive directors.

Legal and General, a 4.4 per cent Mirror shareholder, yesterday asked to meet Sir Victor. The insurance company feels that Phillips & Drew seems to be driving the agenda.

Mirror shares rose 9p to 207p yesterday.

Commentary, page 29

Banks  
express  
surprise  
at terms  
of review

By RICHARD MILES  
BANKING CORRESPONDENT

BANKS gave a cautious welcome yesterday to the terms of the Government's review of banking services, but expressed surprise that Donald Crickshank, the review's head, had sought to include cross-selling in his investigation.

Mr Crickshank, a former telecommunications regulator and chairman of the Action 2000 millennium bug campaign, also quashed rumours that the Treasury was considering the imposition of a windfall tax on bank profits.

While Mr Crickshank emphasised that his inquiry would focus on competition issues, he said there were already grounds for investigating four distinct areas: leading to small businesses, money transmission, credit cards and joint supply, which includes cross-selling.

"It may not appear as a rallying cry to address the things consumers have said they are concerned about: overcharging, poor service and the failure to understand needs of small businesses. But alleged failings like these can only be addressed by first understanding the competitive structure of the industry," he said.

Mr Crickshank will make international comparisons on innovation, competition and efficiency in the UK banking sector. He will also look at whether the Government should consider intervening in the industry.

Bankers said they were surprised at the inclusion within the review of joint supply—the common practice of bundling different products together such as building's insurance with a mortgage, or a personal loan with a current account.

"Control of the credit card network among merchandisers will also come under Mr Crickshank's scrutiny. In the US, the Department of Justice has argued that Visa and MasterCard's domination of the credit card network has been anti-competitive.

Social exclusion and consumer redress, however, fall outside the scope of his remit. The deadline for submissions to the review is February 26. He expects to make his final report by the end of the year.

Commentary, page 29

Pressure  
put on  
Lucas to  
discuss  
£4bn bid

By PAUL DURMAN

FEDERAL-MOGUL, the fast-growing American car parts group, is trying to force Lucas-Variety into takeover talks by setting out terms of a conditional offer worth £3.9 billion.

Lucas-Variety, which makes braking and electronic systems, has rejected an offer of cash and Federal-Mogul stock worth 280p a share. This is 36p more than Lucas-Variety's closing price yesterday of 244p up 29p.

Federal-Mogul said it was told in writing yesterday that Lucas-Variety was "not willing to enter into discussions". The US group hopes that Schroders and other leading UK investors will put pressure on Victor Rice, Lucas-Variety's chief executive, to hold talks.

Dick Snell, chairman and chief executive of Federal-Mogul, said: "Having been informed that it was limited to a reiteration of its statement earlier this month that it was in 'preliminary discussions... with a number of companies in connection with a wide range of strategic alternatives, including joint ventures, acquisitions, dispositions, alliances and mergers or other combinations'.

The company and its financial advisers, Lazarus Brothers and Morgan Stanley, did not respond to calls for comment.

Federal-Mogul is being advised by Merrill Lynch, the investment bank that gave Lucas-Variety a third option when it sought to convert itself into a US company last autumn.

Tempus, page 30



Dunstone store expansion



Brian Larcombe, chief executive of 3i, wants to obtain Electra at a significant discount

## 3i overtures lift Electra

By RICHARD MILES

SHARES in Electra Investments Trust yesterday soared 16p to 682.4p on confirmation that it has had "an unsolicited approach" from 3i, its main rival in the venture capital field.

3i opened talks with Electra on a possible £1 billion-plus takeover a fortnight ago, but the two have reached deadlock on price and the value of Electra's portfolio.

Rolly Crawford, of ABN Amro, said the extra £1 billion of assets would also secure 3i's place in the FTSE 100 index.

Investment analysts said a merger to form a venture capitalist with assets of nearly £5 billion would enhance value for both sets of shareholders.

On one estimate, 3i investors would gain about 50p a share.

Rolly Crawford, of ABN Amro, said the extra £1 billion of assets would also secure 3i's place in the FTSE 100 index.

Feeling the pinch, page 28

Commentary, page 29

Tempus, page 30

Microsoft acquires stake in NTL for £300m

By CHRIS AYRES

THE UK cable industry was given a significant boost yesterday when Microsoft, the US software giant, acquired a 5 per cent stake in NTL for \$300 million (£300 million).

The deal will help to improve the image of the UK cable industry, which is finally beginning to show signs of life after years of turmoil and slow growth. As part of the deal, Microsoft and NTL will form a "technology group" that will look at ways of developing ultra-fast Internet services and interactive television.

Shares in NTL, which is quoted on the Nasdaq stock market despite operating almost exclusively in the UK, rose nearly 25 per cent in early trading to a high of \$34.4. The company plans to float in London later this year. Shares in Britain's other two big cable companies—Cable & Wireless Communications and Telewest—also made significant gains, rising 4 and 10 per cent respectively.

Barclay Knapp, president of NTL, in its vision of bringing advanced digital Internet, telephone and television services to consumers and businesses throughout the UK.

Under the terms of the deal, Microsoft will buy convertible preferred stock in NTL, which is redeemable in cash or common stock ten years after its issue date. Microsoft will also receive 1.2 million five-year warrants to purchase NTL shares at \$84 a share, potentially taking the software giant's stake in the cable company up to 6.3 per cent. NTL said the software company's anti-trust battle with the US Government would not affect the deal.

Last year, NTL said it was prepared to offer £160 million to buy Newcastle United Football Club.

The bonus bonanza has come to light in conjunction with the takeover by Deutsche Bank announced last year.

Deutsche has traditionally operated a more austere pay regime than its Wall Street rivals.

At the time of the takeover there was speculation that Deutsche Bank would attempt to push Bankers Trust bonuses down to cut costs.

Frank Newman, the executive chairman who will join Deutsche's board, was forced to send out a memo saying: "Until the merger closes, Bankers Trust will continue to operate independently and bonuses and promotions for 1998 will be approved in our normal process."

Mr Newman pledged to set aside \$400 million in "retention money" to keep key employees. Nevertheless, up to 5,500 jobs could be cut in an attempt to save \$1 billion per year after combining operations of the two banks in London and New York.

## Carphone Warehouse expects float

By CHRIS AYRES

CHARLES DUNSTONE, the 34-year-old founder and managing director of The Carphone Warehouse, yesterday said a flotation of the mobile phone chain was "inevitable" as he announced the purchase of 270 Tandy electrical stores from InterTAN, the US company.

The deal, thought to be worth no more than £10 million, will allow The Carphone

Warehouse to cope with the enormous demand for pre-pay mobile phones, which has resulted in some of the company's customers waiting one and a half hours to be served.

"It got to the point in December when we could not have physically dealt with more sales," said Mr Dunstone, whose personal fortune is estimated at £25 million. "We were putting up with it, but it was far from what we wanted as a pur-

chasing experience. This deal will ease the pressure a little bit."

Mr Dunstone said he was aware he could realise a significant amount of money by floated The Carphone Warehouse during the current craze for mobile phones. However, he said that no City advisers had yet been appointed and that a flotation was unlikely this year.

Mr Dunstone said Tandy's management and brand would stay, but the stores would under-

go a £20 million facelift. He said Tandy could eventually see mobile phones take up to 50 per cent of sales, and would widen its product range to sell phones from all networks.

The combined group will have 450 stores across the UK and 139 on the Continent. The acquisition of Tandy will boost The Carphone Warehouse's estimated sales for the year to March 1999 from £250 million to more than £350 million.

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## Venture capitalists start to feel the pinch

3i's offer for Electra is timely, says Richard Miles

3i's proposed £1 billion-plus takeover of Electra Investment Trust, its main rival in the UK's £40 billion venture capital market, comes as the demand for private equity shows the first signs of deterioration.

Although the British Venture Capital Association, the main industry body, will not publish 1998 figures until April, the consensus among market analysts is that the volume of larger deals has declined in the past six months.

Mike Wright, of the Centre for Management Buy-Out Research at the University of Nottingham, said last summer's crisis of confidence in world markets, coupled with the continued financial unrest in Latin America, has blunted investors' appetite for risk. Moreo-

ver, the huge weight of money in the market has pushed up the price of entry and inevitably led to a reduction in returns. So poor are the prospects say some analysts, that many institutions have indicated that they would like to withdraw from the market.

"There are a lot of funds in the market and few good, big deals. The second half of the year was bad for the mega-deals, say £100 million or above. But for the smaller deals, it's not too bad," Mr Wright said. If his analysis is correct then the market circumstances lend weight to 3i's talk with Electra. 3i thrives on smaller private equi-

ty deals: its £2 billion plus portfolio consists of 3,200 distinct investments.

Electra, by comparison, says it has just 80 significant investments in unquoted companies. Electra Fleming — the 50:50 joint venture with Robert Fleming, the investment bank, that manages Electra — prefers to target larger deals. For example, it supported the Take in its unsuccessful £375 million bid for Coral, the bookmaker.

3i's main strength, however, is that its shares trade at a substantial premium to net asset value — estimated at 17 per cent by some experts — while Electra traded at a similarly wide dis-

count, at least before yesterday's remarkable share gains after confirming 3i's "unsolicited" approach.

Rolly Crawford, ABN Amro's head of investment trusts, said 3i's significant premium would make a deal asset-enhancing for both sets of shareholders. He estimates that 3i shareholders would benefit by about 50p a share, while Electra investors would gain from the elimination of the discount.

Much has been made of how the proposed takeover would strengthen 3i's international operations — Electra has reinforced its continental network over the past few years — but in Mr

Crawford's view, that is no more than a minor consideration in the thinking of Brian Larcombe, chief executive.

Far more important is 3i's determination to remain in the FTSE 100 index and the benefits that such a position brings. A further £1 billion of assets would make the company safe from newcomers and so help to preserve the premium on which it trades.

Of course, the deal may never get off the ground, besides arguing about Electra's net asset value of £1.25, Michael Stoddart, its chairman is believed to be holding out for a premium on its underlying investments — even though it trades at such a wide discount.

Tempus, page 30

## UK facility to help Indonesian firms

A BRITISH rescue measure that is aimed at helping Indonesian businesses to survive the regional economic turmoil has finally been announced — months after other countries stepped in to provide assistance. The UK Government said yesterday that it will provide a multimillion-pound facility to encourage sales to Indonesian companies, overcoming the fear that the Indonesians may not be able to pay their bills.

Through its Export Credit Guarantee Department (ECGD), the Government will provide reinsurance that will allow private-sector credit insurers to resume the financing of British exports to Indonesia. The private sector had effectively placed the country on a short-term credit blacklist. Brian Wilson, Minister for Trade, said: "Indonesia has traditionally been one of Britain's major trading partners. Although the country is experiencing some serious economic difficulties at present, we remain hopeful that it will pull through before too long."

However, the United States, Australia and Japan put similar safeguards in place months ago. The ECGD spokesman admitted: "The ECGD said that the UK deal had been held up by the Indonesian Government's reluctance to act as a guarantor for its firms. Short-term credit insurance used to be managed by the UK Government itself before a privatisation in 1991. The World Bank gave warning yesterday that political unrest in Indonesia was slowing down the pace of vital financial and corporate reform.

## Freeserve restructure

DIXONS, the electricals retail group, is setting up a subsidiary company to manage Freeserve, its fast-growing Internet access business. John Clark, chief executive of Dixons, will chair Freeserve Ltd, which Mark Darby will be chief executive. Dixons' announcement earlier this month that it had attracted 900,000 users since its launch in September has led to a sharp rise in its share price. Another separate company, Dixons Group Retail Property Ltd, is being set up to manage the property portfolio, while the retail part of the group is to be divided into three divisions.

## Hill Hire seeks £1.8m

HILL HIRE, the truck and trailer rental firm based in Bradford, yesterday announced the placing of almost 1.5 million new shares to raise approximately £1.8 million. These proceeds will be used to reduce the group's gearing, which stood at 380 per cent at the end of last year. After the placing, it will be reduced to approximately 160 per cent, which the company said was "at a level which is within industry norms and which provides scope for future development". The company also said it expects to declare a final dividend of 3.2p per share in May.

## P&O orders ferries

P&O, the transport group, has ordered the world's two largest and fastest cruise ferries from Fincantieri, the Italian yard, at a cost of £180 million. The cruise ferries, which will operate on the route between Rotterdam and Hull, will have a maximum speed of 22 knots, reducing the journey time by two-and-a-half hours. They will replace four vessels now operating that route, which will be deployed elsewhere. The ferries will be able to carry 1,360 passengers, have room for 250 cars and house a cinema and business centre.

## Thomson buys chain

THOMSON TRAVEL GROUP has increased its high-street presence by buying the Callers-Pegasus travel chain for £17 million. The deal, to be earnings enhancing this year, brings TTG a business with 34 travel shops in northeast England, a flight centre in Newcastle and a small tour operator, Focus Holidays. In the year to October 31, it sold almost 200,000 air-inclusive tours, reporting profits before tax and exceptional of £1.1 million. TTG said its acquisition is to be run on a standalone basis alongside its 800-strong Lunn Poly chain.

## Trafficmaster link

TRAFFICMASTER, the traffic information supplier, has formed a £1 million joint venture with the Royal Automobile Club to develop a range of network services for motorists, including navigation assistance, public transport details and access to breakdown services. Trafficmaster and the RAC will inject £500,000 each into the venture, called RAC Trafficmaster Telematics. Bill McIntosh, finance director of Trafficmaster, said the deal was expected to be earnings neutral for his company this year.

## Wintrust earnings rise

WINTRUST, the merchant banking group, has reported a 10.5 per cent rise in net earnings to £1.47 million for the six months to September 30. Richard Szapiro, chairman, said yesterday that Wintrust had benefited from the bigger institutions' waning interest in debt packages of less than £10 million, opening the door to smaller lenders. He said this had been crucial in insulating Wintrust against the downturn in many sectors. Earnings per share rose to 14.59p (13.28p). There is an interim dividend of 5.35p (4.94p).

## HR Owen's £2m buy

HR OWEN, the car dealer, has bought Bradshaw Webb, a Mercedes-Benz dealership, for £2.2 million in shares and cash. Bradshaw Webb, a franchised dealership based in Chelsea and Wandsworth, will add to Owen's three Mercedes-Benz businesses, which trade as Malaya. In 1997, Bradshaw Webb had consolidated losses of £105,966, and net assets of £122,781. It is 75 per cent owned by Colin Giltrap, Owen's non-executive deputy chairman, who received £1.1 million of new shares, lifting his Owen stake from 4.2 per cent to 8.5 per cent.

## Glenmorangie deal

GLENMORANGIE, the Scotch whisky producer, has joined forces with LVMH, the French luxury goods and drinks group, to develop its business in China. LVMH has paid £1.2 million (£725,000) in return for a 39 per cent stake in Glenmorangie's existing joint venture, set up in 1992 to distribute its Glenmorangie and Highland Queen brands as well as Jin Man Ying, a locally produced white spirit. As a result, the Scottish group's stake is reduced from 60 per cent to 39 per cent and its Chinese partner emerges with 22 per cent.

## Chinese devaluation hint hits markets

By ALASDAIR MURRAY, ECONOMICS CORRESPONDENT

SHARES in Hong Kong and China suffered big losses yesterday after the Chinese Government hinted that it may be the next major emerging economy to devalue its currency.

With Brazilian markets shut for a holiday, a fresh bout of market nerves was prompted by an article in the Chinese press arguing that devaluation may not prove too damaging for Asian economies. The article in the influential Chinese *Business Weekly* argued that the experience of Brazil suggested that "devaluation or

### Growth figures cut back

FALLING interest rates, lower returns from shares and rising life expectancy have forced the investment industry to scale down its projections for growth (writes Marianne Curphey).

The PIA said the changes would affect the projections that salesmen use when selling life and pensions policies, unit and investment trust savings schemes.

The PIA said that the rates will apply for new products from April 6 and for all business by June 30.

Projection rates were last changed in November 1993 and their use in the sales process is strictly regulated.

## Ford extends four-day week

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

FORD will today deliver a fresh blow to workers at its Dagenham plant, with a lengthy extension of its short-time working and a three-week closure over Easter.

Ford's Dagenham plant, which employs 4,400, has already completed the longest period of short-time working in recent industrial history. It has been working a four-day week since October. It will now continue until the end of March, a period that will then run into complete closure over Easter.

Ford will blame poor exports for the short-time working. Dagenham is its biggest UK factory, producing the Fiesta and relying heavily on the export market. Workers will be given either training or other duties during the short-time periods and will not suffer pay cuts.

But unions are concerned about continued uncertainty at the plant. Doug Collins, national officer at the AEEU,

floating of the yuan would not definitely be a bad thing". All Chinese newspapers are strictly controlled by the Government, and analysts said that publication of the piece suggested that a devaluation debate has begun within the Government.

However, suggestions that China is on the point of devaluation brought an immediate denial from the People's Bank of China, the country's central bank, which said that the article merely reflected a "private opinion" and that there had been no change in the Government's protective stance.

The report, however, took its toll on local markets, with analysts fearful that a devaluation would also force the Hong Kong dollar to abandon its US dollar peg and prompt another round of damaging competitive devaluations across Asia.

The Hang Seng index in Hong Kong fell 239.02, or 2.5 per cent, to close at 9,499.50.

Sentiment was also harmed by figures that showed November retail sales in the special administrative region falling 20 per cent from a year earlier.

In Shanghai, the "B" share index, which is open to foreign investors, slipped 3.1 per cent to end at a record low. The Chinese market has also been under pressure since the collapse of Guangdong International Trust and Investment Corporation earlier this month.

Most analysts, however,

said that China is under no immediate pressure to follow Brazil's example.

Figures from the Association of Unit Trusts and Investment Funds (Aifif) showed that the amount of money invested in Peps and unit trusts rose by 16 per cent to £83 billion by the end of last year. Nearly two



Marjorie Scardino, with Madame Tussaud's waxwork of Shakespeare, is selling businesses

## Pep sales stay strong

By SUSAN EMMETT

PRIVATE investors shrugged off market turmoil and continued to plough their cash into unit trusts and personal equity plans in 1998, according to a survey published yesterday.

Figures from the Association of Unit Trusts and Investment Funds (Aifif) showed that the amount of money invested in Peps and unit trusts rose by 16 per cent to £83 billion by the end of last year. Nearly two

million private investors saved £1.6 billion in 1998.

Peps, which will be replaced

by individual savings accounts in April, accounted for more than 25 per cent of funds under management. Total Peps sales in 1998 reached a record £11 billion, up 18 per cent on the previous year.

Net retail sales of unit trusts in December were up 35 per cent on the previous year to

£56 million. Net retail Peps sales reached £368 million, a 30 per cent increase on 1997.

However, Philip Warland, director-general of Aifif, questioned whether Isas would have the same appeal. Mr Warland said: "Isas will be more complicated and people will have to be persuaded that they are like Peps. But it will be disappointed if the gross level of sales are not similar to this year."

## Banana row threat to jobs

By CARL MORTISHED

THOUSANDS of jobs in Scottish Borders' woollen mills were hanging in the balance last night as diplomats wrangled in Geneva over the agenda at a World Trade Organisation meeting on the long-running banana dispute.

In a surprise move St Lucia, the Dominican Republic and Côte d'Ivoire blocked the US request for \$520 million (£35 million) of punitive tariffs against European exports. The US is claiming damages over the EU banana regime, which it claims applies illegal quotas in favour of Caribbean and African bananas.

The three states to block the US request are members of the African Caribbean Pacific group of states favoured by the EU banana regime.

Failure to agree an agenda means that the meeting will reconvene this morning. But the US was last night still opposing a compromise put forward by Renato Ruggiero, the WTO Di-

rector-General. Trade experts say failure to secure US agreement to the compromise could mean unilateral US sanctions from as early as February 3.

The sanctions requested by the US will hit an indiscriminate range of exports including Scottish cashmere, knitwear, pecorino cheese, chandlers and electric kettles.

A spokesman admitted yesterday that the job toll could

get larger as Ericsson switched to buying in standardised equipment and technology.

"There will certainly be further outsourcing," Ericsson said.

The company refused to say how many of its 3,500 workers in the UK were threatened by redundancy.

Ericsson has its headquarters in Burgess Hill, West Sussex, and owns a manufacturing facility in Lincolnshire.

A profits warning in December highlighted the company's problem, both in public networks where it suffers from reduced demand for fixed telephony products and increased competition for business from state utilities.

Ericsson's mobile phone business has suffered from the

## Ericsson cuts 11% of staff

By CARL MORTISHED, INTERNATIONAL BUSINESS EDITOR

ERICSSON is cutting its workforce by 11 per cent worldwide in a bid to increase efficiency and restore its flagging profitability.

The Swedish telecoms manufacturer is cutting its 10,000-strong workforce by 1,100 and hopes to save £3 billion per year after completion of the two-year redundancy programme.

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## STOCK MARKET



## FRASER NELSON

# Takeovers make traders forget Chinese turmoil

LONDON shares rebounded from heavy early losses as a fresh wave of takeovers helped the City to forget its fears of a financial crisis in China.

In the first half hour of trading, the FTSE 100 index fell almost 120 points on word that China would devalue the yuan and trigger a meltdown in Asian currencies.

But after LucasVarity, Electra IT and London International Group confirmed bid approaches, the bulls returned to help the index close up 19.7 to 3880.9.

LucasVarity's secret was out early on. Its shares closed up 294p to 2449p — but trading had closed before it admitted a 280p-a-share approach.

Electra IT is still discussing its price, but its shares added 119p to 6824p — capitalising the company at £1.8 billion.

London International, which was firmly denying widespread rumours of a takeover approach on Friday, changed its tune in the afternoon and trumpeted an "unsubstantiated proposal". Some dealers expect a bid at 160p a share; its shares added 35p to 1634p.

So who could be next? Speculation surrounded Allied Irish Banks, 25p better at £12.30. Talk centres around Deutsche Bank with a £14.50 a share bid, and some are convinced that the bid will come through by the end of this week.

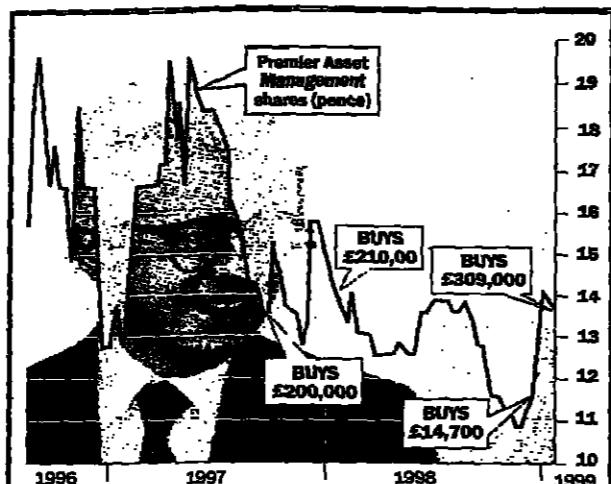
There was plenty of interest in the hotel sector following our report on Saturday that Ladbrokes, 4p up to 2154p, has been talking to Stakis, 14p harder at 1063p. There are also suggestions that it is keeping an eye on Vaux, 11p better at 2444p.

Shares of Thistle were off 6p at 1063p ahead of today's trading statement, which is expected to disappoint.

Recent whispers of a big acquisition by Granada, 51p better at £10.14, were dampened as it emerged that the media and hospitality group has just cancelled credit lines of almost £400 million.

A City source said: "You can guarantee it would not be cancelling them if it had a big deal up its sleeve."

House of Fraser was up another 8p to 92p. Shami Ahmed, the man behind Joe Blogs, is reported to be making a bid for the company, but his fans were yesterday bailing out. They believe he is baulking at the share price.



Lord Stevens of Ludgate, chairman of United News & Media, has built up a 12.5 per cent stake in Premier Asset Management

now 80 per cent above last month's low.

Rage Software shares leapt 20 per cent to 144p after confirming that it is in talks with Microsoft about licensing Rival Gulliver's Striker, its latest game. Its shares were among the most heavily traded, with 28.6 million changing hands against an average daily volume of 2.1 million. Deal-

ers point out that at yesterday's price, the shares are still 104p — or 42 per cent — of the high achieved in 1995. Some see Rage as a prime takeover candidate.

Its rise was made easier by

rival Gremlin Group, which said it had received a takeover approach. This helped its shares 26p to 100p.

This put the market in a

mood to have a flutter on other computer companies — so cue another 31 per cent rise in Online. The computer games company is now at 1274p — far from its 124p level earlier this month.

One dealer said: "Online is so small that an early deal of 2,000 shares is enough to move the price. When it's moving up, everyone piles in."

Premier Asset Management, an £11 million AIM-listed stockbroker, has been attracting attention recently — mainly because Lord Stevens of Ludgate, chairman of United News & Media, has been ploughing a substantial chunk of his personal fortune into the shares.

The company has £320 million under management, and hopes to increase this to £1 billion within three years. Lord Stevens is its non-executive chairman and must fancy its chances.

Earl Cairns, chairman of Allied Zinc, has also spent £193,000 of his own cash in shares of the newly listed insurer at 93p apiece. They added 9p to 93p yesterday.

Lady in Leisure looked in distress yesterday, falling another 274p to 95p.

It transpired that Scott

Campbell, its co-founder and until last Friday its managing director, has sold his remaining £625,000 stake at 100p a share.

His friends and former colleagues did their best to snap them back up, but only took £445,000 at the same price.

But the dealers were still suspicious that Mr Campbell should sell at 100p when the shares were 180p a few weeks ago.

Armenia Leisure has been a peculiar little mover of late. Two weeks ago, its shares were 18p a share. They have been bounding up ever since, another 28p firmer to 164p yesterday — a move dealers are unable to explain.

■ GILT-LEDGED: Comments by Eddie George that rates would rise if consumer confidence recovers sent a chill through the futures pit. Treasury 10 per cent 2001 slid 0.16 to 110.19 and Treasury 6 per cent 2028 fell back 0.79 to 90.03.

■ NEW YORK: US blue chips fell, dogged by worries about earnings and Brazil. At midday the Dow Jones industrial average was down 33.47 points to 9,087.20.



AFTER a sharp fall in the Hang Seng index, London's banking sector was sure to take a beating yesterday.

News of the UK Government's investigation into retail banking pushed the sector further into retreat and six of the worst ten FTSE 100 fallers were banks.

The risers were a mix of bid targets, telecoms companies (rebounding from Friday's mini-crash) and, of course, the supermarkets.

Whenever investors bale out of the financial sector, they rush straight for the

dowdy old "safety" stocks, such as food producers and UK-based leisure and transport stocks.

In the past 12 months, the see-saw relationship between the banking and food retailing sectors has worked more harmoniously than ever — with the two moving in almost perfect sympathy.

The current gap suggests that the supermarkets have swung too far down, and may recover considerable ground before their reporting season starts.

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points to 9,087.20.

Source: Datamonitor

FTSE food retailer's index

FTSE retail bank's index

FTSE all-share index

FTSE 100

FTSE 250

FTSE 350

FTSE 400

FTSE 500

FTSE 600

FTSE 700

FTSE 800

FTSE 900

FTSE 1000

FTSE 1200

FTSE 1500

FTSE 1800

FTSE 2000

FTSE 2500

FTSE 3000

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ANATOLE KALEFSKY

# Brazil is not being offered the correct medicine

**Britain's recovery after leaving the ERM is a better example of how to react after devaluation**

**S**tatistically, it may be the eighth-biggest economy in the world but as General De Gaulle once said: "Brazil is not a serious country." The absence of seriousness was demonstrated not so much in the Brazilian Government's inability to stick to its core economic pledge to avoid a devaluation. The real lack of seriousness has been shown in the Brazilian Government's and the world's response.

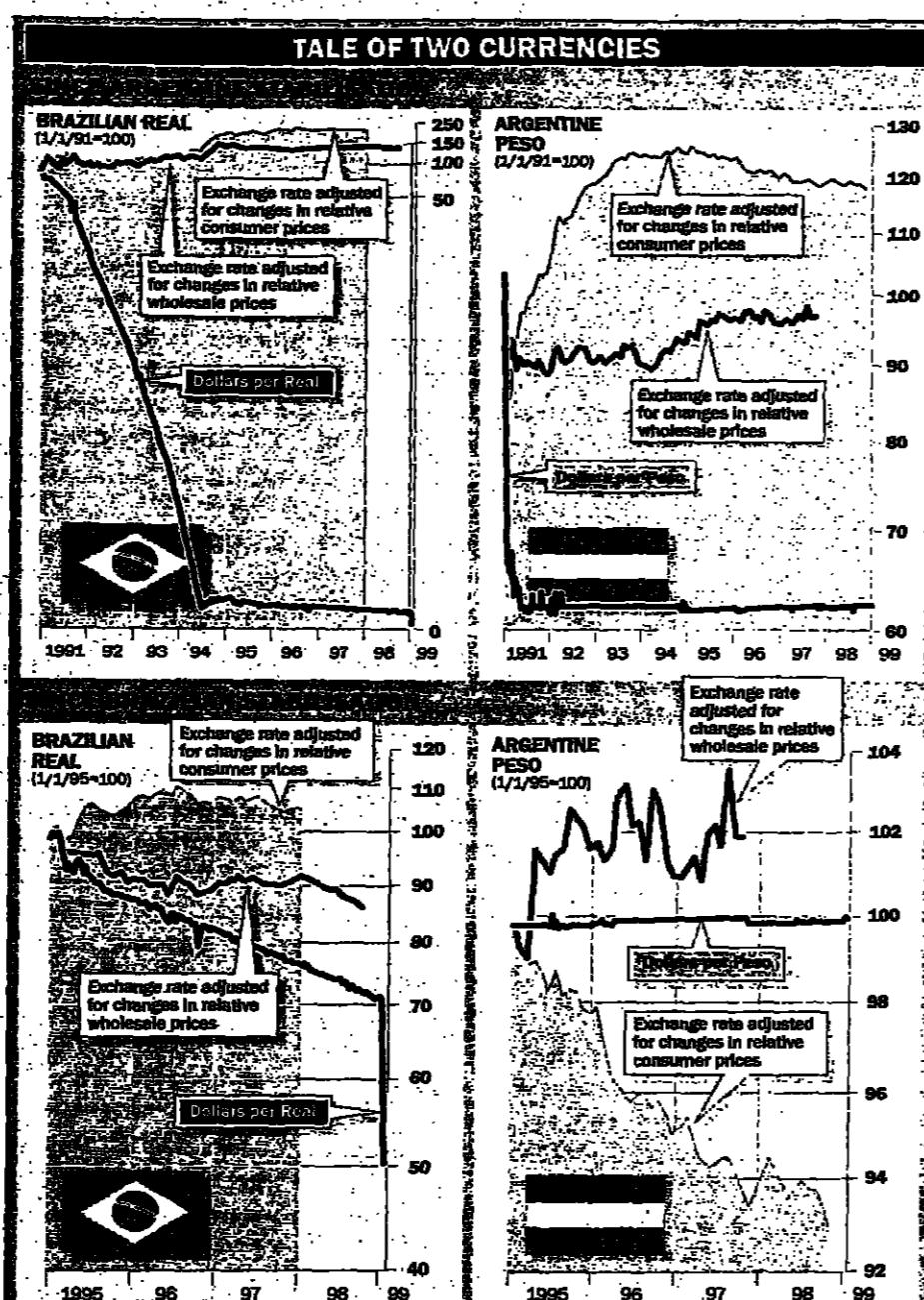
The question about Brazil that preoccupies most economic commentators at present is whether the financial malaise will now engulf other countries that rely on exchange-rate links, ranging from Argentina to Hong Kong and China. Others ask whether the success of Argentina and Hong Kong in defending their currency pegs implies that other countries such as Brazil, and perhaps Indonesia and Russia, should follow them in abandoning national currencies and simply adopting the dollar, the euro or the yen.

But these questions are beside the point. Argentina and Hong Kong are both in a totally different category from Brazil. They totally abandoned their monetary autonomy by guaranteeing that every currency note that they issue is backed by a dollar held at the central bank. More importantly, they have created the two key conditions under which a currency board of this type can work: they have rigorously controlled their government borrowing; and they have convinced their citizens that there can be no benefit whatsoever in having a national monetary policy independent of the dictates of the US Federal Reserve. In Argentina, the Government has been able to achieve this through a constitutional revolution after decades of economic chaos and violent dictatorship.

In Hong Kong, the case has been easier to make, simply on the grounds that Hong Kong is a tiny open economy, far too small to derive any real benefits from managing its own currency and setting its own interest rates.

These conditions simply do not apply in Brazil. Like Russia and Indonesia, Brazil is much more politically unruly, much larger and much less exposed to foreign trade than either Argentina or Hong Kong. It also has a government that is much worse at collecting taxes and living within its means.

It is the Brazilian Government's post-devaluation policy that represents the really serious dimension of this crisis — and illustrates the lack of seriousness both in the world's approach. Nobody can blame Brazil for having failed to defend its exchange rate in the



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## Late rally lifts equities

**TRADING PERIOD:** Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1998	1997	Price	1998	1997	Price	1998	1997	Price
High	Low	Change	High	Low	Change	High	Low	Change
<b>ALCOHOLIC BEVERAGES</b>								
545	365	Alfred Dunhill	487	5	53	125	118	7
472	287	Blue Bell (PFT)	226	2	63	123	118	5
425	7	Brown-Forman	147	1	147	125	118	7
755	575	Brown-Forman A	659	4	10	165	155	10
325	225	Budweiser	254	1	48	115	105	10
344	115	Budweiser Gold	262	1	57	82	72	10
224	125	Budweiser W	205	1	48	75	65	10
224	125	Cal-Breweries	177	1	53	135	125	10
<b>BANKS</b>								
1619	1529	ABN-AMRO	1175	+31	34	142	135	7
1320	965	Ally Bank	1305	1	51	155	145	10
1020	565	Bank of Lake	863	5	53	151	141	10
1237	1027	Bank One	1221	+28	53	343	325	18
1007	807	Bank One 2	1221	+27	53	343	325	18
2075	2027	Bank One Corp	1221	+27	53	343	325	18
227	207	Bank One Corp	775	1	17	125	115	10
1497	1227	Bank One Corp	1221	+27	53	343	325	18
2484	1525	Bank One Corp	1221	+27	53	343	325	18
545	218	Bank One Va	355	1	57	125	115	10
3266	2266	Bank One Va	1221	+27	53	343	325	18
1205	1134	Bank One Va	1175	1	57	125	115	10
533	112	Bank One Va	265	1	57	125	115	10
2073	1965	Bank One Va	1065	4	41	147	137	10
2002	1555	Bank One Va	1504	1	43	138	128	10
1022	845	Bank One Va	1650	1	43	138	128	10
1200	1125	Bank One Va	750	1	15	225	215	10
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# Late rally lifts equit

**TRADING PERIOD:** Settlement takes place five business days after the day of trade. The previous day's close, but adjustments are made when a stock is ex-dividend. Price/earnings ratios are based on middle prices.

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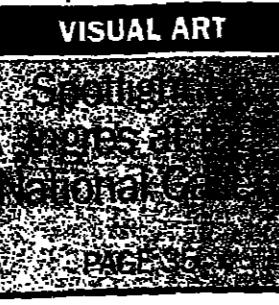
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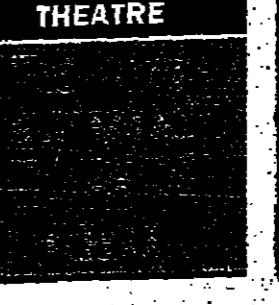
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**WORLD RECORDS** in **\*\* World Running**



# THE TIMES ARTS



Actor Jeremy Northam has made it in Hollywood. So what's he doing at the Almeida — slumming? Matt Wolf reports

**J**eremy Northam is on the verge of becoming such a ubiquitous cinema presence that one is slightly surprised to find Sandra Bullock's erstwhile co-star in *The Net* sipping coffee in the Almeida Theatre bar preparing for notes from his current play's writer-director, Peter Gill.

The same weekend might instead have found Northam in New York promoting the premiere of *Gloria*, the Sidney Lumet film in which he appears opposite Sharon Stone, or even in Utah at the Sundance Festival, where Northam and the American actor Steve Zahn are generating a terrific buzz as *escapers from a chain gang* in the independent film *Happy Texas*. In addition, Northam will be seen this year in two screen adaptations of period plays: Rattigan's *The Winslow Boy*, written and directed by David Mamet, and alongside Cate Blanchett and Minnie Driver in the director Oliver Parker's youthful rethinking of Wilde's *An Ideal Husband*, both of which cast Northam as establishment figures who may be less stiff-backed than they appear. Also awaiting release is a Sundance entry from last year, *The Misadventures of Margaret*, with Northam as a professor married to Parker Posey's neurotic novelist.

"This is what I've been waiting for," Northam says of the celluloid onslaught, purple sunglasses his only vague nod to the burgeoning film renowm that may at last position the 37-year-old actor as a Hugh Grant or Ralph Fiennes-level star. And yet, far from hopping the Atlantic, the actor has chosen to return to the theatre for his first stage appearance since *The Country Wife* for the Royal Shakespeare Company four and a half years ago.

**W**hat's more, he arrives not as a visiting film star in the Almeida tradition of Kevin Spacey, Juliette Binoche and Liam Neeson, but as one of the eight-person ensemble of Gill's new play, *Certain Young Men*, in which Northam plays David, a gay obstetrician uneasily partnered with Andrew Woodall's married Christopher.

"I grew up within that aesthetic," Northam says of the company feel of the play,



"I got into acting because I like plays," says Jeremy Northam, who is now doing just that in London. But with five new films featuring Northam heading our way, the British actor will soon be on a screen near you.

## Enter, pursued by fame

which exists in notable contrast to a film career mainly spent playing male second banana to a motley parade of high-powered women, including Bullock, Stone, Mira Sorvino (the critically reviled *Mimic*) and Gwyneth Paltrow (the critically praised *Emma*). "I got into acting because I like plays. It's nice, too, not to have the pressure of 'How's the weekend box office?' The joy of just doing something like this simply and directly and, you hope, skilfully — without those other pressures

— is really quite refreshing." Besides, he adds, "the people who do plays who are perceived as movie stars all come from a very strong theatrical background."

That's certainly true of Northam, who left two years into drama training at Bristol to take a job in Nottingham. Further regional theatre work followed before a career-making stint at the National Theatre, where he won a 1990 Olivier Award for his performance in Richard Eyre's staging of *The Voysey Inheritance* and

played no fewer than three parts at varying times in the same director's *Hamlet*. Indeed, he stepped into the title role one fateful night in September 1989, when Daniel Day-Lewis had a breakdown and left the stage.

Northam looks back on the traumatic evening as "ancient history", which it probably is compared to wooing — and stalking — Bullock in *The Net*.

"I could never have imagined that I would be performing opposite these icons, these movie stars, who are all totally differ-

ent; it all came as a total surprise really."

Their presence has meant he has yet to bear the burden for the film's variable commercial fate. "I wouldn't be responsible in the public eye, because I'm not Sharon or Mira or Gwyneth. But of course you put a lot of time and effort into doing what you do, and you want it to work, and you would much rather be associated with things which are happy successes."

If advance word is any gauge, both *The Winslow Boy* and

*An Ideal Husband* are set to be exactly that, which looks to be especially pleasing vis-à-vis the latter film insofar as Northam came late to the cast as a last-minute replacement for Gabriel Byrne. "I got back on a plane from Los Angeles, and a day later I was in a readthrough," the actor says of his role as Sir Robert Chiltern, the ideal husband of Wilde's title. "I went from playing an escaped conman in *Happy Texas* to a politician with a dodgy past."

Still, it is hardly required edit-

"I'm not doing this to wear clothes of penitence and go 'Oh, I have to be a masochist for a while'. I'm doing it because it's not often that you're involved in the creation of something, as I was with this seven years ago [in workshop]."

In any case, Northam has hardly gone Hollywood: he continues to live, for example, in North London. "I remember feeling at various times annoyed at the assumption that one was deeply ambitious. What you hope for is to play the parts you want to play, to be a part of the industry that you wanted to be a part of. I'm ambitious to be a better actor."

• *Certain Young Men* opens tonight at the Almeida, London N1 071-339 3404. *An Ideal Husband* is released in Britain on April 16.

### BUILDING A LIBRARY

A guide to the best available classical recordings, presented in conjunction with BBC Radio 3

**VERDI'S REQUIEM**  
Reviewed by Humphrey Burton

FOR every great performer (and for every recording engineer, one might add, since the work's dynamic range is exceptional) the Verdi Requiem is an Everest waiting to be climbed. Even more universal in its appeal than the Missa Solemnis or the Requiem of Brahms and Berlioz, Verdi's 90-minute masterpiece is the grandest religious composition of the 19th century.

Completed in 1874, it was the agnostic Verdi's outpouring of deep-jet grief following the death of Italy's most beloved poet, Manzoni.

Each of the four soloists has several long solos which are every bit as intense and demanding as an operatic aria, although Verdi insisted that "one mustn't sing this Mass in the way one sings an opera — therefore phrasing and dynamics that may be fine in the theatre won't please me at all". A quartet of superb artists is nevertheless essential, but they must leave operatic solos and can belt high notes be hind them, particularly when

they combine in a taxing but expressive variety of duets, trios and quartets.

The Requiem also demands a chorus of great strength and flexibility, an orchestra of red-blooded virtuosi and a conductor of spirituality and dynamism.

Toscanini conducted the Requiem at Verdi's funeral in 1901 and made a recording 50 years later that, despite its boxy sound, still represents the tension. Four modern digital recordings all have strong selling points. Muti is at Scala: Abbado at the Vienna State Opera. Two English conductors also work with powerful international casts: Colin Davis — in Munich — for RCA and John Eliot Gardiner, employing period instruments, for Philips. If you won't be happy with anything less than original digital then go for the Davis (remember his compelling Proms performance in 1997). But my final choice is vintage Leonard Bernstein on Sony Classical (SM2K 47639, two CDs, £17.99); the soloists include Domingo plus the LSO and LSO Chorus, remastered from a 1970 performance taped at the Albert Hall. Bernstein has the soul, the heart and the dramatic energy; he inspires an electrifying experience.

To order the recommended recording, with free delivery, please

send a cheque payable to The Times Music Shop to FREEPOST, SCO681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk

Next Saturday on Radio 3 (11am): Bernstein's West Side Story

**D**espite its punning title, this concert, this half-hour cantata is a serious event: a celebration of the 250th birthday of one of the greatest figures of German culture. Few writers have had a more profound influence on music than Goethe, and since it is through music that he is best known to non-German speakers it made perfect sense for Matthew Best and his Corydon Singers and Orchestra to commemorate him this way.

Or did it? Something was surely wrong when such a fascinating programme could still leave the audience more the wiser about Goethe himself. His texts became just the thread connecting this series of masterpieces and rarities by his composer contemporaries. No exploration of his musical appeal was attempted. Given the vast body of Lieder and operas he inspired, the choral works featured here were hardly put into context.

Purely on a performance level, though, this was an evening full of excitement. The Corydon forces have made German Romantic music a specialty, but they seemed to surprise both themselves and the audience with the power of Mendelssohn's neglected *Die erste Walpurgisnacht*. From

the start of a substantial overture, this half-hour cantata is full of unfettered lyricism, but it is not all Mendelssohnian sweetness and light: the witches' sabbath at its centre has the orchestra shrieking and growling, and the pagans have nothing to do with the religious respectability that often creeps into Mendelssohn's choral music.

Best's account caught all of this freshness and vigour, making it clear why Berlioz, Michael George was solem

as for the Priest and Jean Rigby

and An Ideal Husband are set to be exactly that, which looks to be especially pleasing vis-à-vis the latter film insofar as Northam came late to the cast as a last-minute replacement for Gabriel Byrne. "I got back on a plane from Los Angeles, and a day later I was in a readthrough," the actor says of his role as Sir Robert Chiltern, the ideal husband of Wilde's title. "I went from playing an escaped conman in Happy Texas to a politician with a dodgy past."

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Still, it is hardly required edit-

# The man who loved women

**VISUAL ART:** Ingres could paint men but they were never his real inspiration, as Richard Cork discovers at the National Gallery

No sooner has late Monet settled into the Royal Academy than another, equally rewarding French painter arrives at the National Gallery. But these two magnificent shows could hardly offer a greater contrast. No people can be discerned in Monet's infamously images of his garden, whereas Jean-Auguste-Dominique Ingres was a supreme painter of portraits. With lofty disdain, he pretended that history painting was his true calling. But Ingres is always at his finest when faced with a sitter, so the National Gallery is right to concentrate on portraiture and leave his pompous, often absurd allegories alone.

Just how overblown they can be is suggested by the first exhibit to confront us: a towering and marmoreal effigy of Napoleon I on his Imperial Throne. Executed by the young Ingres as a precocious showpiece in 1806, it presents the newly laureled Emperor as a blanched, implacable despot. Resting his gold-encrusted foot on a velvet cushion, itself tying on a carpet emblazoned with the imperial eagle, Napoleon displays his fearsome authority. Clasping the sceptre of Charles V like a vicious spear, he allows Charlemagne's hand of justice to rest against his left thigh. Posed frontally, with a rigid hauteur that reflects Napoleon's appetite for unchallenged power, this severe apparition seems as remote from the modern world as a medieval icon.

Mercifully, though, the glacial Emperor remains an exception among Ingres' portraits. He was equally capable, only a year earlier, of making Madame Rivière into one of his most sensual images. With youthful audacity, Ingres turns his sitter into a sequence of swooping, whirling undulations. Treating the oval canvas as a flat surface, he allows limbs and draperies to flow across it with virtuoso elan. The ringleted Mme Rivière somehow maintains an imperceptible poise, while all around her extravagant linear inventions leap, coil and tumble. The velvety surging from her head, no less than the embroidered shawl twisting in fantastical convolutions around her



Dark glasses in his great portrait of Vicomtesse d'Haussonville, Ingres once again allows a mirror to play a mesmerising role, emphasising her solitude

Ingres never permitted his need for control to be overwhelmed by an ornate rush of unchecked feeling. But the turbulence beneath the surface rigour cannot be doubted, lending even his slightest portrait a powerful sense of tension. The pencil drawings he made in such profusion, largely to support himself after the collapse of his Napoleonic supporters in Rome, possess a palpable intensity. Adept at summarising his mainly British clients with unerring speed and loose

summative skill, he rose above mere flattery and proved that an effortless command of line lies at the very centre of his art. Whether drawing an elegant, intertwined family group, a discerning old lady or a small boy solemnly marooned on an ornate armchair, Ingres deploys his draughtsmanship with miraculous suppleness.

When he so wished, Ingres could embark on a painting with unerring speed and loose

ness. But once he had completed its early stages, with a dash worthy of Manet, all that swiftness gave way to infinite, painstaking elaboration. Because the pigment in his portrait of the Baron de Norvins has become worn, we can detect some of the changes Ingres introduced as the picture proceeded. The outcome, however, is the very opposite of laboured. Contrasted with a shimmering wall-cover and

curtain of near-Venetian sensuousness, the Director of the Police cuts a sober, monochromatic figure. Although his white shirt threatens to spurt out from his lapel, its unexpected frothiness is contained within the severity of a jet-black coat. This is a man professionally accustomed to suspicion, and his stiff body refuses to lean back against the damask-draped chair where he sits bored. Viewed slightly from

above, so that her breasts are shown to ample advantage, the hothouse creature relaxes on sumptuous, gleaming fabrics. The sitter looks up, her unmarked oval face calm above the spume of a triple-layered lace collar. Pale satin eruptions break out, at provocative intervals, along the surface of her wine-red velvet dress. No fewer than 13 rings can be counted on her fleshy fingers, and Ingres is bold enough to

sign his name on a calling card stuffed into the edge of the mirror behind her.

This expanse of glass, the first to appear in an Ingres portrait, reflects the back of Mme de Senones' head. Shadowy and tantalising, it introduces an element of mystery after the brazen allure displayed by the woman in front of the mirror. Ingres deepens the enigma by making the rest of the glass surprisingly dark, and allowing it to spread over a large area of the painting's unfathomable upper section.

The great female portraits that crown Ingres' later career give glass a still more mesmerising role. The Vicomtesse d'Haussonville, far more alert and appraising than the indolent Mme de Senones, leans back against a masterpiece surmounted by a grand mirror. With one distended figure popping up her chin, echoing a pose adopted by the Greek muse Polyhymnia, she gazes through crescent-shaped eyes in an abstracted manner. Her luxurious accoutrements do not seem to satisfy the young woman, who would later publish several historical romances. She seems a little restless, as if dissatisfied with her leisurely existence. And the prominent reflection of her head and shoulders stresses the young woman's solitude, enveloping her with the unknown.

**'The hothouse creature relaxes on sumptuous fabric'**

ble emptiness of the dark glass.

The mirror image is deployed most sombrely of all in the grand final version of Madame Moitessier's two portraits. An earlier, redoubtable three-quarter length of this fashionable hostess shows her standing, arrayed in black and toying with a rope of pearls against a flat, damask-covered wall. She is expressionless, and her detachment is accentuated by the garland of lush roses dangling from her sculpted hair. They give her the aura of a remote goddess, accustomed to receiving adoration without betraying a scintilla of excitement.

The same curious blend of antiquity and modernity can be found in the later Monessier portrait. The opposition between them, however, is now heightened. Seated, she allows a flower-spangled Second Empire dress to billow across the lower half of the painting. She appears to float on this sea of petals, and Matisse would have savoured Ingres' willingness to give these opulent patterns such a strong pictorial presence. Once again, Moitessier is removed from her nouveau riche context and given an antique gravity. The wide mirror behind confirms this dimension, by presenting her in shadowy profile as a Sphinx-like enigma. This time, though, the reflected image seems to be turning into stone. Her stillness is close to death, mocking the woman's finery and bejewelled satisfaction even as Ingres bestows immortality upon her.

• Portraits by Ingres at the National Gallery (0171-839 3321) until April 25

**Even his slightest portrait has a sense of tension**

## AROUND THE LONDON GALLERIES

**DECADENCE** is a queasy concept: easier to sense than it is to define. It glistens, alluring yet repulsive, like the gloss of bright colours on decaying

meat. Decadence is the Roman Emperor Commodus: ravaging then slaying virgins. It is Evelyn Waugh's tortoise with a diamond-encrusted

shell. It is cruelty and high camp, opulence and consumption. "It is the rotteness from which all life springs," said Germaine Greer.

But most of all decadence is

defined by its era, which is why the Crafts Council has chosen this cusp of the century to mount a show which explores decadence over the past decade. The sumptuous display of jewellery and textiles, sculpture and ceramics, glass and furniture, tantalises. The rich mix of media and ideas fascinates. It is hard for the eye to settle at first.

In the corner of a chamber, draped in dark velvet, a polished black lepus spirals to his doom. His wings, quilled with mirrors, catch myriad glancing reflections of light. This is Andrew Logan's interpretation of the theme: a glitz glory before the moment of death. Other works are more sinister. Seen from a distance, Andy Frazell's wall clock may look like a nursery ornament. But examine it more closely and you see a slaughterhouse scene.

Each exhibit deserves such fastidious inspection. A cornucopia, woven from ivy and leaves and moss, beaded with berries and old-man's beard, is not a symbol of bountiful nature. Discarded Fanta cans and crumpled crisp packets overspill the lip. And inside the ceramic rim, rippled like fungus, a scaly tentacle lurks.



Decadent? Andrew Logan's *lepus* at the Crafts Council

Texture and pattern, design and detail, are the essence of this show, whether seen in the minimalist elegance of a John Makepeace cabinet, or the gilded decorations of a harpsichord. This show unfurls and explores the desires of a decadent age, and questions whether they really are decadent any more.

Crafts Council, 44a Pentonville Road, London N1 (0171-273 7700) until March 14

I BUMPED into the artist Peter Blake at the Royal Academy's Monet show. Among all the admirers of this most popular Impressionist, Blake's was an isolated voice of dissent. He didn't like the paintings, he declared, which seemed all the odder at the time because nearby was a photograph of the ageing Monet, and the similarities in appearance between the two artists were striking. But the clue to their differences lay in their beards. Where Monet's was flowing, Blake's was tightly clipped. And his artistic style has the same taut precision.

Those disheartened by the stretching queues for the Royal Academy might enjoy popping round the corner to see Blake's prints. Here are joyous series of tattooed ladies, brunettes and blondes in bright bikinis. "I wonder where this thing leads to?" cries Robin to Batman, as they slide down the lumpy curve of a thigh. Elvis Presley nestles against a clavicle. Minutely detailed woodcuts examine the freaks in the circus sideshow, photomontages create bewildering theatres in a Regency room. But more usually Blake seems to be caught in the rainbowed realm of the Sixties and Seventies. Perhaps his work will come back into fashion again in this retro-obsessed world.

Peter Blake, 29 Bruton St, London W1 (0171-495 4767) until Feb 27

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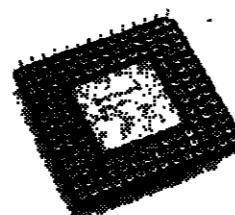
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# For richer, for poorer, till law us do part

Marrying in a foreign country can be a tricky affair. Edward Fennell reports

**B**y all means go to the Land where the Bong Tree Grows for your wedding. Just try to make sure that the marriage is not conducted by the Turkey Who Lives on the Hill.

According to Mick Jaeger's team, his marriage to Jerry Hall was a turkey from day one because they did not have the right number of witnesses and there was a mix-up in the paperwork. So has Mick known all along that he was unwed? Or has this defence been unearthed more recently by a bright lawyer who has been investigating the events of the ceremony in Bali?

The basic position in the UK is that an overseas marriage will be valid if both persons had the capacity to marry and the local civil formalities were fully observed. Look beneath that generalisation, however, and the complexity of the issue soon becomes baffling. Even leading authorities such as Peter George of Charles Russell say this area of international private law can be "like playing multidimensional chess".

David Truez, of the Anglo-Australian practice David Truez and Company, describes the law as extremely complicated. "I'm writing a manual so that high street lawyers can understand the issues," he says. "Frankly, it is very difficult to do."

The upsurge in the number of complex marital disputes reflects increasingly international lives in which place of marriage, husbands and wives' domiciles and assets may be scattered across the globe.

Mr Truez explained: "We recently had a case in which an Australian woman married an Irish man and the couple lived initially in Ireland. The marriage broke up and the man went to live in France, the woman in Australia.

"He then petitioned for divorce in England and we had to persuade the English courts that this was not appropriate. So he then got a quickie divorce in Mexico and promptly married someone else, in New York. The authorities there recognised the Mexican divorce, but other countries would not."

Where does that leave the wife? Is she still married? If she decided that she was divorced and then remarried,

would her second marriage be valid? Frankly, the answers may vary from country to country. For example, had she been domiciled in Ireland but had obtained a divorce in Australia, it would not be recognised in Ireland. But it would be recognised in England.

The result, says Katharine Shaw of the family law department at Radcliffe, is that "when it comes to divorce, there is an increasing amount of 'forum shopping' as lawyers and clients weigh up the pros and cons of where they will launch an action. Some jurisdictions might offer a quicker process, but their rulings might be unenforceable. And if their decisions are not recognised by other significant countries, that may queer the possibility of a future valid marriage."

So while the status of marriages used rarely to be questioned (except in cases of bigamy or non-consummation), there is likely to be a growing number of divorce and inheritance cases that hinge on the issue "Was the marriage valid in the first place?"

And it is not just globetrotting superstars who run up against these problems. Growing prosperity and a sense of adventure have produced a vogue for overseas marriage-cum-holiday packages. Getting married in a bikini on the beach is no longer a problem for specialist companies and big-name travel operators alike, which offer all-in deals complete with "ceremony, marriage and certificate". The operators arrange the details so that "when you arrive at your destination you will have nothing to worry about".

But what if your final destination is the divorce court? Being married by a Buddhist monk on the slopes of Everest may produce great snaps for the family album — but has the monk got the right authorisation from the local civil authorities?

Already a number of holiday companies have made their way to leading travel lawyers to check on how they stand. After all, if a marriage turned out to be invalid, could the disappointed holidaymakers come back for redress?

Peter Stewart of Field Fisher Waterhouse is clear on his advice. "I advise travel companies to give the clients the full



Randy Gerber and Cindy Crawford, like thousands of couples, married in an exotic location

facts," he says. "They should suggest that their customers take legal advice first. And they should make it clear that they accept no responsibility for anything that might subsequently go wrong."

Start to investigate the small print, even in England and Wales, and the situation soon becomes complicated. For example, to be declared null, a marriage can be either void or voidable. It will be void when the parties are within the prohibited degrees of relationship or if either of them is under 16 or if either was already married. It will be voidable if the marriages have not been consummated or if either partner did not validly consent to it or if, at the time of the marriage, the respondent was pregnant by some person other than the petitioner.

Then there is the matter of reading the banns in church and of the service being conducted by qualified officiates (rather than a work experience youth — as happened recently in one Anglican church).

For many people, the religious context may be more im-

portant than the civil. All Anglican clergymen ordained for a year can solemnise marriage but for Roman Catholics, Quakers, Jews, Hindus, Sikhs and Muslims, different regulations apply.

Father John Nelson of Portsmouth's Catholic diocese, an expert in canon law, says that every effort is made to work with the civil authorities. So although the Catholic Church does not recognise a register office wedding, a civil divorce would be required before they could marry again in a Catholic service.

Because of the potential for complexity, there is a growing belief in England and Wales that prenuptial contracts, which are not yet binding in our courts, may offer a way forward. Mr George comments: "To avoid an argument, many people prefer to have a straightforward, enforceable contract." So if you decide to go for the turkey on the hill in the saffron robes, be sure to sign a prenuptial before getting the ring. And make sure your travel agent pre-books the divorce in Mexico.

whether to keep the Solicitors' Indemnity Fund or allow firms to obtain insurance on the open market.

Now it is to look at a new idea from the consultancy Aon Risk, which would give firms a choice of the open market or an insurance package devised by the society.

□ Simmons & Simmons is having a tough year. After an exodus of several high-profile partners, Alastair Morris, the accountant who was made managing partner in 1996, is leaving before the end of his three-year term, amid speculation that partners are losing confidence in the running of the firm. David Dickinson, managing partner of the banking and capital markets group, was one of only two who went for the job and was victorious. His first task? To stem the flow of partners and get them to stamp up £7 million to fit out planned new offices.

□ The Law Society is desperate for a way out of the profession's negligence-insurance crisis. Last week the council debated

COULD Robin Cook sue for breach of marital secrecy? Peter Carter-Ruck, the libel lawyer, thinks so. "There is a precedent for this," he says — a case in 1967 when the Duchess of Argyl obtained an injunction to stop the Duke, her former husband, and a newspaper, from disclosing marital confidences. The court held that marriage was a relationship of a confidential nature that gave rise to an obligation of confidence. Mr Carter-Ruck adds: "Mr Cook could arguably seek to obtain an injunction to prevent further publication of details of his marriage."

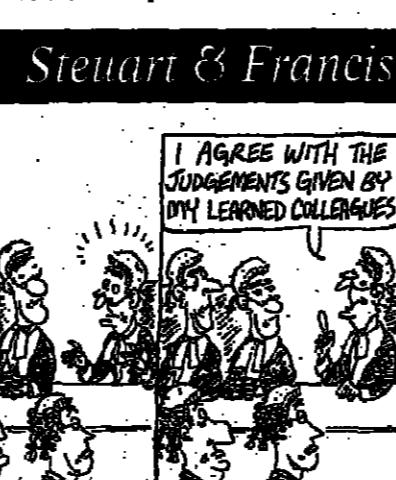
□ The judges are paying their own tribute to Lord Denning for his 100th birthday (see page 43). Lord Woolf, the Master

## DIARY

of the Rolls, will this week take him a cut-glass bowl on behalf of the Court of Appeal judges. Lord Goff of Chieveley, until recently the senior law lord, was there on Saturday to give a special scroll on behalf of the Institute of International and Comparative Law. Lord Denning, its president, was a founding member.

□ Bar noses have been put out of joint by the Chilean Government's choice of QC for General Pinochet: the Herbert Smith partner Lawrence Collins, who is one of the first solicitor QCs.

□ The Law Society is desperate for a way out of the profession's negligence-insurance crisis. Last week the council debated



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## Skeleton argument that may harm civil justice

In March 1989, Lord Donaldson of Lymington, then Master of the Rolls, made a practice direction introducing a requirement that counsel file a skeleton argument before the hearing of a civil appeal. There is concern among practitioners that the most recent practice direction in this area, which comes fully into effect next Monday, will greatly reduce the value of these skeleton arguments and damage civil justice.

As the 1989 practice direction explained, a skeleton argument is a written summary which identifies the principal points and draws attention to the relevant legal authorities. Its main purpose is to assist the judge to prepare for the hearing, thereby ensuring that the oral argument for the appeal can focus on the central issues in dispute between the parties. This reduces the time spent in court, and limits the costs for litigants and the legal system.

By advancing these objectives, the skeleton argument has been one of the most significant improvements in civil procedure in the past 50 years, and not just in the Court of Appeal. A similar requirement has been imposed in other civil courts.

The 1989 practice direction imposed a deadline for the filing of skeleton arguments of four weeks before a fixed hearing date. In 1990 this was reduced to 14 days. That remained the normal rule until the recent practice direction issued by Lord Woolf, the Master of the Rolls, last November after "consultation with the members of the Court of Appeal", as the direction records. The new standard rule is that the appellant must include a skeleton argument when filing the appeal bundle of documents, within 14 days of the appeal appearing in the list of forthcoming appeals.

The respondent must then lodge a reply skeleton argument within 21 days of receipt of the appellant's skeleton argument. This will mean that there is an obligation to prepare and file skeleton arguments at an earlier stage of the appeal proceedings. The date by which an appellant must file a bundle of documents is typically many months before the hearing. In judicial review cases, the skeleton arguments will need to be filed about six months before the appeal is heard. The new practice direction adds that a supplemental or revised skeleton argument may not be lodged without the court's permission, and such permission will be granted only if there is good reason for doing so.

The requirement to file skeleton arguments early in the appeal proceedings is unfortunate. There will be four main disadvantages.

First, because the work will be done so long before the appeal hearing that the skeleton arguments will decline in quality and focus, and will not provide as much assistance to the court as a skeleton argument filed close to the hearing date. No doubt the previous 14-day rule was based on Dr Johnson's principle that "when a man knows he is to be hanged in the morning, it concentrates his mind wonderfully".

Secondly, in areas of the law (such as public law and employment law) where developments are rapid, the skeleton argument will often need amendment by the time of the hearing if it is to address current legal principles. Thirdly, lawyers will now need fully to prepare the case twice, once for the skeleton argument and again for the hearing months later. At present, that occurs only when counsel has to be instructed to obtain leave to appeal, and not where such leave has already been granted by the lower court or tribunal. Appellate litigation will become more expensive for clients.

Fourthly, counsel previously knew when they had a duty to file a skeleton argument because it was based on the hearing date in their diary. The new rule focuses on the date notified to the solicitor for the case entering the list of forthcoming appeals. Counsel will now be dependent on the solicitor giving them that information. Delays in communication will inevitably mean that skeleton arguments will be prepared in even more of a rush than they are at present.

These detriments are not outweighed by any positive benefit from skeleton arguments being filed so much earlier. The judges are not going to read them until just before the hearing of the appeal. The duty to provide a skeleton argument at the early stage is unlikely to deter unmeritorious appeals. The requirement for sequential filing of skeleton arguments is an improvement on the previous procedure by making it more likely that the respondent's document will answer the one filed by the appellant. But that objective does not require the documents to be presented so long in advance of the hearing date.

Mr Justice Cardozo of the United States Supreme Court gave warning that changes to civil procedure must not "multiply impediments to justice without the warrant of clear necessity". The Court of Appeal should rethink its practice direction.

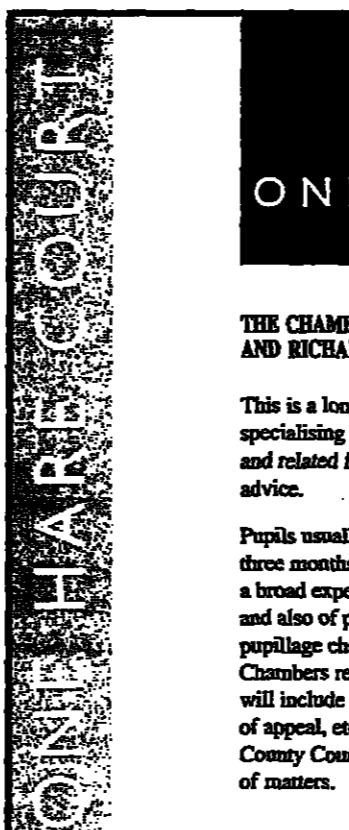
• The author is a practising barrister and Fellow of All Souls College, Oxford.

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BSI

# Playing by the rules

Why is the OFT tackling football's Premier League? Report by Richard Prowse

The Restrictive Practices Court is being asked to blow the whistle on the FA Premier League and to show a red card to its lucrative television deals.

In a case brought by the Office of Fair Trading (OFT), the UK's competition law watchdog, the Premier League stands accused of operating as an illegal cartel. The alleged offence is the practice of the league's clubs collectively selling their television rights to BSkyB (40 per cent owned by News International, owner of *The Times*) and the BBC.

The case, which started on January 12, has been surrounded by much rhetoric and confusion. Unusually, we have seen Tony Banks, the Sports Minister, criticising a government office, the OFT, for its decision to pursue a case. Talk abounds in football circles of the collapse of the Premier League and critics say that the sport as we know it is under threat.

Of course, football is a highly emotive topic at the heart of Britain's culture. But we should all. Tony Banks included, step back and focus realistically on why the OFT has brought the case.

The issue is whether, and how, competition law should apply to sport and what the future holds. The case brought by the OFT is based on a straightforward application of competition rules. If we take a dispassionate view, it is difficult to find fault with the OFT's argument. English Premier League clubs are banding together in order to sell their product, the television rights to FA Carling Premiership football.

From a purely economic and legal stance, this eliminates any competition between them and means that they are able to use their collective muscle to negotiate price and limit the choice of matches screened. The result, potential-



The film of Nick Hornby's *Fever Pitch*: football is a topic at the heart of Britain's culture

ly, is that the consumer pays more and sees less. If the televised football market was not restricted by the existence of a cartel, the argument is that clubs would then sell their rights individually and in competition with each other, resulting in lower prices and more matches on more channels. This is how markets operate in other industries and, in effect,

the OFT is applying the same principles to football as it would to any other business activity.

If in any other industry a similar horizontal cartel were established, people would want to be assured that the OFT believed it to be operating for consumers' benefit. A cartel of petrol companies, for example, agreeing the selling

price of a litre of fuel, would almost certainly be illegal, because it would keep prices artificially high.

"Football is a sport that happens to be a business rather than a business that happens to be a sport," Mr Banks says. This is a good soundbite, but it means nothing. The OFT is not examining the game of football, but rather the way in

which it conducts its business, and it is right to do so. What Mr Banks should be concentrating on is not whether the OFT should have the right to examine the business of football, but whether the way football is run is in the interest of consumers and the game.

There is no reason a football club should not have its contracts and agreements scrutinised under the competition rules and this has long been recognised in Europe. The Bosman ruling on transfers, which means that players out of contract with their clubs are free to move without their clubs being able to demand a transfer fee, is now an established part of the game in England and the whole of Europe. Football generates billions of pounds a year and national competition authorities have a duty to keep under review an industry of this size.

In applying the rules, the OFT should, of course, recognise the special nature of football. It may well be necessary to apply the competition laws in the light of the fact that unrestricted business competition may give too much power to the media companies and large clubs and drive weaker rivals out of business. This would take from football the very thing that it thrives upon: teams, competition and a special place in our culture.

The court case cannot be considered in isolation from other recent events. BSkyB has played a clever game — its bid for Manchester United means that it has an insurance policy should this court case go the wrong way. It is difficult to see the Premier League losing this case and also BSkyB being prevented from completing the acquisition.

It is also worth noting that the fact a court case has been necessary to air the issues of broadcasting rights highlights the inadequacies of the present legal structure. In future, and with the introduction of the Competition Act in March 2000, it is likely that such problems will be addressed before contracts are signed under the new UK clearance regime.

• The author, a partner at Eversheds, specialises in EU and competition law.

# Why the entente is not so cordiale

French lawyers are not happy about the tactics of English law firms, says Adam Sage

pared to buy you. They are often turned down because they do not realise that though the French may be ready to sell themselves they do not want to lose their identity. The English have tried to go too fast, and they have made too many mistakes."

French lawyers say that their firms are smaller, their development stunted by the codified system that leaves less room for legal manoeuvre than under the common law tradition, and less cut-throat.

A senior partner in a Parisian firm, who asked not to be named, says: "The only thing that seems to matter to the English is money."

The City firms are real economic war machines that hardly care about the law at all. Here, we see ourselves much more as a fraternity concerned with our profession."

The City, not unnaturally, views things differently, as Stephan Denyer, the regional managing partner for Europe at Allen & Overy, argues: "What we are seeking is long-term, measured development and we would be silly to do things in an unnecessarily aggressive way. We do not go around luring people in Paris or anywhere else, but it is a case that good lawyers are attracted to us because of our development."

The firm's Paris office, he explains, employs 37 people and has doubled in size over recent months, as has the Frankfurt bureau. Within four years only half of Allen & Overy lawyers in its offices around the world will be British, compared with 70 per cent at present. "This," he adds, "is due to client demand."

Other French firms also face what they deem to be unwarranted attacks of this sort. Olivier Pichot, a partner specialising in legal recruitment with the international headquarters Tase Worldwide, claims: "The English have an approach that is aggressive and colonialist. They think they may lose out because Britain is not in the euro, so they are trying to buy up whole teams and structures in Paris in the hope of becoming operational here very quickly."

M Pichot says that City law firms have been promising to double the revenue of French lawyers earning between Fr500,000 and Fr700,000 a year. "But this approach is bound to fail," he says. "They have been going to the crème of Parisian lawyers and saying 'How much do you want? We are pre-

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# The people's judge: Lord Denning celebrates his centenary

Brilliant, unpretentious and a judicial activist, Lord Denning is Britain's most treasured senior judge. By Frances Gibb

If judges had popularity ratings, Lord Denning would top the poll. He is the people's judge, the lawyer's judge and, above all, the people's judge. Litigants in person loved him and he was a gift to the media. Whenever I rang him for a comment about a colleague he was happy to respond, and the rejoinder was always: "Say something nice about him, won't you?"

Last Saturday more than 170 lawyers and judges met at the University of Buckingham to say something nice about Lord Denning on his 100th birthday and pay tribute to his contribution to the law over 38 years as a judge, 20 of them as Master of the Rolls. Unfortunately, the guest of honour was too frail to attend.

Mention Lord Denning's name and people think of his Hampshire burr and the style of his judgments — short, simple sentences of startling clarity. But his legacy to the law itself is, arguably, unrivaled.

Lord Woolf, the Master of the Rolls, says: "Many of his decisions were ahead of his day and only years later became accepted as representing the law."

In one dissenting judgment, he said that if a person gives negligent advice, he can be held liable to any person acting on that advice. Some 15 years later, the law lords followed him. In his many rulings in civil disputes, Lord Denning also helped to lay the foundations for what is now mainstream law — judicial review, allowing individuals to succeed in challenging abuses

of power by authorities or big corporations. "He put the Court of Appeal's civil division on the map," Lord Woolf says. "Until his time, on the whole it was the great criminal cases that caught the public imagination. With him, for the first time, it was civil cases, because he was protecting the little man against the big battalions."

Lord Woolf, who appeared before Lord Denning as a young advocate, remembers his patience at a time when it was the norm for judges to be crusty and impatient. "When I was just starting out as a Treasury junior, I was a bit out of my depth in one difficult case and he guided me through." When Lord Woolf was promoted to the Court of Appeal, a big occasion for him and his family, he recalls Lord Denning being "extremely kind to my sons — they remember that more than anything else that day".

As for sitting with him as a fellow judge, Lord Donaldson of Lymington — who succeeded Lord Denning on his retirement in 1982 — recalls his brilliant mind and "total recall" memory. He could skim through the whole of the argument in his mind. But there were dangers, he added, sitting as the second judge with Lord Denning. "He might think about a case overnight before giving judgment, and then come to the conclusion that what he had decided was wrong."

A judicial activist, Lord Denning did not believe in judges leaving things to Parliament: they had to provide an instant

remedy for the individual. If the law was unjust, then it had to be altered in order to accord with his notion of justice. Alternatively, the law would be interpreted to provide justice — what judges will increasingly do as the Human Rights Act starts to bite.

He himself cites the High Trees case in 1947, in which he ruled that a person should keep his word or bond; the many matrimonial cases that created the principle of the deserted wife's equity; and the cases correcting abuses of power such as that overruling the Board of Trade when it denied Laker Airways a licence.

On Saturday many other cases — from commercial and company law to family — were cited. Len Sealy, an emeritus professor from Cambridge, recalls the Mareva injunction — which enabled courts to freeze a defendant's assets when the plaintiff had not yet established his right to proceed against those assets — as one measure for which Lord Denning should be remembered.

Lord Denning does have his critics: he did make mistakes that the law lords subsequently reversed, and some of his views, particularly in later years, aroused controversy — for example, he was accused, to his distress, of casting a slur on the ability of black people to be jurors.

But he argued passionately that the common law of England regarded a person's colour or race as "irrelevant" in deciding his rights or duties. And despite deeply held Christian values, he liberalised the divorce laws, and treated cohabiting couples as married couples where possible. Likewise, his view of the breakdown of marriage was pragmatic: the divorce court, he said, should not penalise anyone.

As Professor Michael Freeman, of University College London, said on Saturday, Lord Denning is quintessentially English, with beliefs rooted in the Protestant work ethic and family. So it was fitting that he celebrated his birthday with friends and family in his native village of Whitchurch (he was born there, the son of a draper) with a peal of bells, a choir and the planting of an oak. Peter Post, who was his clerk and now manages his affairs, visits twice a week and they still enjoy fish and chips sent up on Friday by the local hotel, with chocolates and coffee to follow.

How will he be remembered? Sir John Balcombe, a retired Court of Appeal judge and one of the guests Saturday, singles out Lord Denning's humanity: "He was a brilliant lawyer, though not everyone always agreed with him. And he was so nice to people in court ... the most unpompous man I have ever met." Lord Donaldson speaks of his making the law available to the small man. Lord Woolf, who inherited — literally — Lord Denning's appeal court robes and whose career has followed a similar path, points to his kindness: "People would leave court totally happy, even if he found against them. He will be remembered as the champion of the little man and as a great legal reformer who had a vision of the common law that reverberated throughout the world."

• The papers from the symposium at the University of Buckingham, sponsored by Row & Maw, Butterworths and Ede & Ravenscroft, will be compiled in a special edition of the Denning Law Journal, with a foreword by Lord Goff of Chieveley. For further details contact Viv Forrester, Buckingham Law School, 012380 814080.



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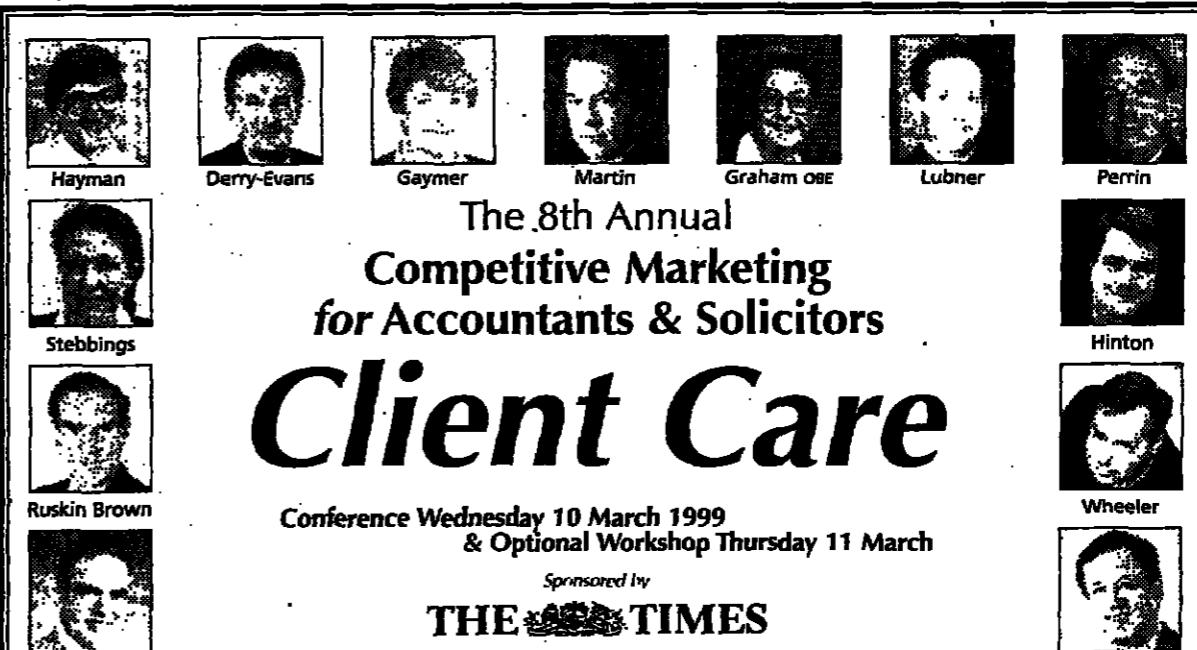
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## Payments to patient are not for mother

In re the Estate of B (Deceased)

Before Mr Justice Jonathan Parker (Judgment January 22)

Where the Court of Protection made monetary contributions on a patient's behalf to the provision of accommodation and to the running of a household, those payments could not properly be characterised as a contribution towards the "reasonable needs" of the patient's mother for the purposes of section 10(e) of the Inheritance (Provision for Family and Dependants) Act 1975, notwithstanding that the payments indirectly benefited the mother.

Mr Justice Jonathan Parker so held in the Chancery Division on a summons issued under Order 14A of the Rules of the Supreme Court by PR. Further, his Lordship allowed an appeal by PR against an order of Master Bragger's granting leave to IB to commence proceedings out of time under the 1975 Act for reasonable provision to be made for her out of the estate of her deceased daughter, B.

Mr William Henderson for PR:

MR JUSTICE JONATHAN PARKER said that the B was born on April 10, 1979. Due to the negligence of the medical staff, in attempting a forceps delivery, she suffered severe damage at birth, both to her brain and her spine.

PR's father, PR, effectively left the

scene when she was eight months old, however her mother, IB, continued to care for her devotedly. In due course an action was brought on behalf of B against the area health authority and in May 1986 a first award of damages was made to the sum of £250,000.

In July 1985, a bungalow was purchased for the joint occupation of B and IB.

IB paid 75 per cent of the

charter price amount to a direction from the Court of Protection and IB paid the balance.

On B's death, her 75 per cent

beneficial share in the property vested in her estate on a resulting trust and passed on her intestacy to IB and PR in equal shares.

On March 6, 1997 IB issued her application for leave to commence proceedings for reasonable financial provision under the 1975 Act, leave being granted by Master Bragger on February 10, 1998.

Section 1 of the 1975 Act contained provisions as to who could make an application under the Act. Section 10(i) listed the five categories of persons including:

"(e) any person (not being a person included in the foregoing paragraphs of his subsection) who immediately before the death of the deceased was making, or intended, wholly or partly, to do so, the decree."

To qualify as an applicant under section 10(e), IB had to satisfy the court, inter alia, that (i) at the date of her death B was making a sub-

stantial contribution in money or money's worth towards the reasonable needs of IB and (ii) B had "assumed responsibility" for the maintenance of IB for the purposes of section 3(4) of the Act.

On the first question, his Lordship said that section 9(1) of the Mental Health Act 1983 conferred on the Court of Protection, with respect to the property and affairs of the patient, a power to decide the doing of all such things as are necessary to be necessary or expedient for the maintenance or other benefit of the patient and the maintenance or other benefit of members of the patient's family.

It was common ground that in the instant case no direction was made by the Court of Protection pursuant to section 9(1) of the 1983 Act for payments to be made to IB otherwise than in her capacity as B's receiver; that is to say no direction was made for payments to be made to IB for her own maintenance or benefit.

All the payments made by the Court of Protection were made out of the fund representing the damages award and they were made for the maintenance and benefit of B.

However, there could be no doubt that the court had the power to provide for the maintenance of B could not properly be characterised as a contribution towards the reasonable needs of IB.

In the first place, any doubt as to the correctness of the conclusion was dispelled when one brought into account the requirement of assumption of responsibility.

Moreover, it was questionable whether the power to maintain a patient's family empowered the Court of Protection to assume responsibility for the maintenance of that person.

Since IB on the undisputed facts could not bring herself within section 10(e) of the 1975 Act, the court had no jurisdiction to entertain a claim under section 2 of that Act. Accordingly, IB's application was bound to fail.

Solicitors: Law Hurst Taylor, Weymouth-on-Sea; Dutton & Hooke, Southend-on-Sea.

## Circulating press cuttings went beyond fair dealing

Newspaper Licensing Agency Ltd v Marks and Spencer plc

Before Mr Justice Lightman (Judgment January 19)

A daily programme of circulating and distributing cuttings of articles from newspapers went beyond reporting current events within the meaning of the Copyright Designs and Patents Act 1988 so as to give rise to the fair dealing defence afforded by section 30(2) of that Act.

Mr Justice Lightman so held in a reserved judgment in the Chancery Division giving judgment for the Newspaper Licensing Agency Ltd in its claim that Marks and

Spencer plc had infringed its copyright in typographical arrangement.

Mr Kevin Garnett, QC, for the plaintiff; Mr Michael Silverleaf, QC and Mr Mark Vanhegan for the defendant.

MR JUSTICE LIGHTMAN said that the plaintiff was the owner of copyright in the typographical arrangement in a large number of national and regional newspapers.

It sought to establish that the defendant infringed such copyright by making copies of cuttings from those newspapers and distributing such copies to its executives.

## Need for legislation on duress defence

Regina v Abdul-Hussain

Regina v Aboud

Regina v Hasan

Regina v Naji

Regina v Muhsin

Regina v Hoshan

Before Lord Justice Rose, Mr Justice Rougier and Mr Justice John- son (Judgment December 17)

There was an urgent need for legislation for precision in the defence of necessity arising as duress by threat or circumstances.

The Court of Appeal, Criminal Division, so stated in a reserved judgment allowing appeals by Mustafa Shakir Abdul-Hussain.

Saheb Sherif Aboud, Hasan Saheb Abdul Hasan, Mohammed Chamkha Muhsin and Adnan Hoshan against convictions and prison sentences ranging from nine to five years imposed in November 1977 at the Central Criminal Court by Mr Justice Wright, after being found guilty of hijacking contrary to section 10 of the Aviation Security Act 1982.

The appeal by Maged Mehyd Naji was dismissed.

Mr Michael Mansfield, QC, for Abdul-Hussain; Mr Michael Mansfield for Aboud and Hasan; Mr Alper Riza QC, for Naji; Mr Laurence Kershen, QC and Mr Timothy Horgan for Muhsin; Mr Alan

Newman, QC and Mr Michael Turner for Hoshan; all counsel assigned by the Registrar of Criminal Appeals.

LORD JUSTICE ROSE, giving the judgment of the court, said that the appellants were all Shia Muslims originating from Southern Iraq and were fugitives from the Saddam Hussein regime.

They came to live in Sudan and made several attempts to travel to Europe, without success. In August 1996, the appellants' passports were removed and as they feared deportation to Iraq, where they were certain of savage punishment and execution, they and members

of their families boarded a Sudanese Airbus bound for Jordan and hijacked it.

His Lordship, when asked to consider if the defence of duress should have been put before the jury at the appellants' trial, said that the defence of duress by threat or circumstances was available to all offences except murder, attempted murder and treason as cited in R v Pommell (1995) 2 Cr App R 607 and the clearest authority to date for duress was found in R v Martin (1989) 88 Cr App R 345.

As that defence had developed case by case, its scope was imprecise, thus the need for Parliament to provide otherwise.

ing defence to infringement of copyright, and referred to *Pro Sieben Media AG v Carlton UK Television Ltd* (The Times January 7, 1999).

Fair dealing was concerned with the genuineness of the intentions and motives of the use of the copyright material to report current events and the extent to which it was fair and reasonable in all the circumstances to make as extensive a use as was in fact made of the copyright material. The question was very much a question of degree and one of fact and impression.

The first hurdle to be surmounted was to establish that the dealing with the copyright work was part of an exercise of reporting current events.

The critical question was whether the defendant's daily programme of circulating and distributing cuttings fairly fell within the language of section 30(2).

The cuttings went far beyond reporting current events. The course followed by the defendant did not constitute fair dealing.

In copying the cuttings from the newspapers the defendant had infringed the copyright of the plaintiff in typographical arrangement and the plaintiff was entitled to copyright.

Solicitors: Herbert Smith; Mr Robert Ivens.

Practice Direction (Probate, Deceased's name)

In order to facilitate the operation of standing searches and caveats and to ensure the accuracy of probate records, Senior District Judge Gerald Angel, Family Division, issued the following Practice Direction on January 12:

In all instances where the de-

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(b) In any case where the name of the deceased or by which the deceased was known differed from that recorded in the register, that name shall also be included in the death or in the notice, as might be.

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Paul Merson scores Aston Villa's third goal in their comprehensive defeat of Everton, the only match that scored Fantasy points last week. Photograph: Marc Aspland

## Aston Villa victory opens six-point gap at the top

This week, because only one Premiership game has been played in the past seven days, there is no award of a weekly prize and no ON-target numbers. Prizes will be rolled over to next week — so watch out!

The player list (right) has been updated to include last Monday's game between Aston Villa and Everton. As a result of Villa's 3-0 win, positions on our leaderboard have altered, with Robert Little's team, Broken Arrow, extending its lead over Phil Clarke's Shabadi United from a single point to an impressive six.

Note that the Villa victory, which included two goals (worth six points) for Julian Joachim, and three-point clean sheets for goalkeeper Michael Oakes and defenders Gareth Barry, Ugo Ehiogu and Gareth Southgate, will not count towards the next weekly prize: the weekly winner announced on these pages in a week's time will be decided solely on the points scored in games played on Saturday January 30 and Sunday January 31.

Nevertheless, the points scored in that game could be decisive in the race for the monthly prize of £1,000 plus £100-worth of sports equipment, the January winner of which will be announced next week.

Any team including two-goal Julian Joachim as well as Steve Watson (who provided an assist for the third goal) and Paul Merson (who scored it) will have done well. On the other hand, Michael Ball, the Everton full-back who appears in many of the leading Fantasy teams, scored minus two as a result of



being part of a defence that conceded three goals, and the totals of many of the leaders could suffer as a result.

Remember that Watson and Merson, like Dion Dublin, were transferred to Villa from other clubs after the beginning of the season.

and may therefore be selected in the same Fantasy League team, as they are counted as still belonging to their original clubs.

ON-Target numbers will appear again next week. If your weekly team total according to the player

lists matches the printed numbers, follow the instructions to find out if you have won the weekly ON-Target prize of £500 cash, or one of the runner-up prizes.

Next weekend, for once, a full programme of ten Premiership matches will be completed on Saturday and Sunday, and there are some promising fixtures.

The first to catch the eye is the visit of Chelsea to Highbury, where Gianluca Vialli's team, shorn of much of its striking power, must try to breach the division's most impregnable defence to guarantee a further week at the top of the table. Villa, behind them only on goal difference, face a tricky trip to Newcastle, who will be smarting at allowing Charlton Athletic a last-gasp equaliser in their previous match, and Manchester United go to The Valley, where the home side will believe that the end of their eight-match losing streak represents the turning point of their season. Unfortunately, they will have to prove it against a team that scored six times in their previous game at Leicester.

Elsewhere, Darren Huckerby, the in-form striker, will be out to see whether Liverpool's recent defensive improvement is real or imaginary, and expect a tight, low-scoring encounter between Wimbledon and West Ham at Selhurst Park. Why? For the simple reason that, when they met at Upton Park, the Hammers squandered a three-goal lead, losing 4-3. Harry Redknapp, the manager, will be doing his utmost to ensure that there is no repeat of that defensive catastrophe.

### LEADERBOARD

1 Little Broken Arrow ... 260  
2 P Clarke (Shabadi Unit) ... 254  
3 P. Clarke (Peggy T) ... 253  
4 R Anderson (Dove City) ... 253  
5 J Kerr (Spartans Squad) ... 248  
6 M Kelly (Kells King) ... 246  
7 D. Dunn (On The Wagon) ... 246  
8 D. Dunn (On The Wagon) ... 245  
9 J Watson (Shabadi Unit) ... 245  
10 D. Young (Diva 10) ... 243

### YOUTH LEADERS

1 R Anderson (Peggy T) ... 260  
2 D Shabadi Unit (Das A.S.) ... 253  
3 J Peppi (Poppy Parrot) ... 221  
4 D. Dunn (On A Purple) ... 221  
5 D. Dunn (On The Wagon) ... 221  
6 J Kerr (Spartans Squad) ... 221  
7 S. Edwards (Spartans Squad) ... 221  
8 G. Cright ... 221  
9 D. Dunn (On The Wagon) ... 221  
10 C. Edwards ... 221

### FULL BACKS

1 D. Dunn (On The Wagon) ... 253  
2 P. Clarke (Shabadi Unit) ... 253  
3 D. Shabadi Unit (Das A.S.) ... 253  
4 G. Cright ... 253  
5 D. Dunn (On The Wagon) ... 253  
6 C. Edwards ... 253  
7 G. Edwards ... 253  
8 D. Dunn (On The Wagon) ... 253  
9 J. Edwards ... 253  
10 C. Edwards ... 253

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Select a team of 11 Premiership players from those listed right. The total value of your team must not exceed £50m. You can't choose more than one player from the same Premiership club. Your team must be in a 4-4-2 formation with: one goalkeeper; two full-backs; two centre-backs; four midfielders; and two forwards.

**TO ENTER BY POST** Name your team on the entry form, left, in no more than 16 characters.

Enter the correct three-digit player codes from the list, right, followed by the players' names. Enter the first three characters of each player's team under the heading CLUB, ie, LEE for Leeds. Also enter the value of each player shown on the list right. Add up the values of the 11 players in your

team and make sure the total does not exceed £50m. Send your entry to the address shown, with a cheque/PO for £2.50 (£10 sterling outside UK or ROI) or your credit-card details. You will get confirmation of your team and your personal identity number (PIN) on receipt of your entry form. Readers under 18 should seek parental permission before entering. They must state their date of birth and indicate if they wish to enter our Youth League.

**LUCKY DIP** If you would like us to select a team at random for you, please tick the Lucky Dip box on the entry form. Postal entries only.

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## TENNIS

# Powerful Spadea pulls the strokes to outwit Agassi

FROM JULIAN MUSCAT, TENNIS CORRESPONDENT, IN MELBOURNE

IT WAS as poor a performance as any that Andre Agassi has contrived in a decade of largely golden memories. The player he dismissed as a "journeyman" ten months ago shattered any lasting illusions that Agassi still has the substance to win a grand-slam title.

Agassi is unlikely to find so attractive an opportunity as at this Australian Open. A route once littered with barriers has parted like the Red Sea and yet Agassi has been found wanting. That knowledge will make Agassi's defeat one of the hardest he has had to bear.

Vince Spadea, whose nerve held firm when Agassi briefly threatened to indulge in histrionics, was Agassi's first opponent to be ranked in the world's top 50. Agassi appeared impressive when roughing up inferiors in the early rounds, but he collapsed when matched, blow for blow, in this fourth-round tussle.

It was apparent last year that Agassi's eight-month absence had dimmed the fizz from his game. He attributed his poor grand-slam record in 1998 to his fervent pursuit of a world ranking commensurate with his talent. This time, he

came here fresh and supposedly primed for the fight. He showed little of that in succumbing to Spadea, whose own attitude was faultless in a match rendered monotonous by do-or-die hitting.

The comments Agassi made about Spadea, back in March, clearly ranked his fellow American. So much so that Agassi, seeded No 5, has lost two subsequent encounters between the pair. Mind you, Spadea looked more like the vanquished when he related his tale of victory.

His slumped posture hardly squared with one who, in his own words, has just achieved his biggest accomplishment to date. "Well, I didn't end world hunger or anything extravagant like that," he said. What Spadea, the world No 44, may have done is to find a balance within his personal arrangements. His father, Vincent, has taken over paternal interest in his career. Indeed, Agassi had also ventured that Spadea, 24, could scale the heights if he loosened his father's overbearing embrace.

Spadea made that break towards the end of last year and has reaped an immediate

dividend. He has never previously advanced beyond the fourth round of any grand slam; now he plays the unseeded Tommy Haas, of Germany, for a semi-final place.

Agassi opened the match as though affronted by Spadea's presence on the same court. He failed wildly off both wings, racking up an error count of suicidal proportions. "When I get a little discouraged, a lot of things start breaking down," he said with rare understatement.

There was more to it than that. Whenever Spadea struck a clean ground stroke — and he struck several — Agassi attempted to strike back even harder. It was little wonder that a host of piled balls were tossed, at regular intervals, to the scrapheap.

"He is used to dictating the play and running people around," Spadea reflected of his opponent, "but I am capable of hitting the ball as big as him." He also read Agassi's intent, often anticipating the direction of shot before Agassi had even swung his racket in anger.

So much so that Agassi appeared uninterested when Spadea served for the match. He made no effort to run down the last two points, and was humbled 6-1, 7-5, 6-7, 6-3 in 2hrs 40 mins. A count of 71 unforced errors told its own story about the paucity of Agassi's performance.

Spadea confronts Haas after the latter brushed aside Fabrice Santoro, of France, 6-2, 6-2, 7-5. Like Spadea, Haas, 20, is enjoying his most profitable grand-slam run on his second visit here. Unlike Spadea, Haas has yet to meet a seed in a tournament where those accorded that status have performed abjectly. At least Agassi was keeping good company.

Yevgeny Kafelnikov, seeded



Cap that hard-hitting Spadea plays a backhand during his four-set victory over Agassi

No 10, escaped the rot yesterday. The Russian made hard work of beating Andre Pavel, of Romania, who rallied from two sets down before succumbing 6-3, 7-6, 6-7, 3-6, 6-4.

Of the four men's seeds remaining, two collide in the quarter-finals tomorrow when Kafelnikov, of Russia, confronts Todd Martin, seeded No 15. Martin, of the United States, yesterday accounted for Wayne Black, of Zimbabwe, in straight sets.

A significant upset loomed in the women's event when, on a sweltering day, Marina Hingis, seeded No 2, left the court for a ten-minute break after sharing the first two sets with Amanda Coetzer, the

quarter-finalist. Pierce, the No 7 seed, overwhelmed Anna Kournikova, seeded No 12, in a match described by Hingis as a battle between the game's "blonde killers". That, too, proved wide of the mark as Kournikova, of Russia, disintegrated 6-0, 6-4 under Pierce's withering ground strokes.

The two British boys engaged in the junior singles championship opened with victories. Mark Hilton, who

made a favourable impression at the National Championships in November, edged out Bo Hodge, of the United States, 7-6, 7-5, and Lee Davis, of Somerset, trounced Charles Sevigny, of Canada, for the loss of only three games.

# Graf and Seles still stirred by love of game

Julian Muscat savours the renewal of a rivalry that has been all too rare

AS Andre Agassi, one of the game's icons, departed incongruously from the men's singles in the Australian Open yesterday, two more advanced to a women's competition that evokes memories of a rivalry cruelly arrested in its tracks.

In a tournament yielding upset after upset, the senses were stirred when Steffi Graf and Monica Seles won through to confront each other tomorrow. It will be their fourteenth encounter since they first met in the French Open semi-finals a decade ago.

At that time, Graf, of Germany, and Seles, Yugoslavia-born but now a United States citizen, were the game's irresistible force and immovable object. Between them, they won 21 of the 24 grand-slam tournaments between 1988 and 1993 — after which Seles was stabbed by a supporter of Graf's when playing in Hamburg. The rivalry that was sure to develop was never to reach fruition.

The pair have met twice in the grand-slam arena since Seles' mind scarred more than her body, returned to the game in 1995. In that year, Graf defeated Seles in the US Open final after one of the finest matches in memory. Graf duplicated the verdict in the Flushing Meadows final 12

months later. However, their lives have run along divergent off-court paths since Seles was stabbed.

Seles was troubled by the stomach cancer that ultimately was to claim her father, Karoli, in May last year. Graf, meanwhile, has been plagued by injuries and the scandal of her father and business manager, Peter, serving a jail sentence for tax evasion. These circumstances served to dilute a rivalry that would have eclipsed all others.

Graf, 29, has accrued 21 grand-slam titles; Seles, 25, has 12. Remarkably, Seles has yet to lose in the 39 matches she has played in Australia. The holder of four Australian Open titles, Seles is also unbeaten over 20 matches in Canada. Graf leads their meetings 9-4, but Seles triumphed in their only encounter here — in the 1993 Australian Open final.

These days, both women compete without the burning intensity that governed their respective youths. Seles — who prevailed yesterday 6-0, 6-3 over Sandrine Testud, seeded No 14 — said of her reunion with Graf: "I am really looking forward to playing her. The only reason both of us are still playing is because we just love the game. Both of us want to have challenges like this one."



Seles, left, and Graf have fought back after personal setbacks

## RESULTS

## MEN

**SINGLES:** Fourth round: V Spadea (US) bt A Agassi (US) 6-1, 7-5, 6-3, 7-2; Hingis (S) bt S Stosur (AUS) 6-2, 6-3, 7-5; M Kafelnikov (Rus) bt D Cretu (Rom) 6-4, 7-5; Y Kuznetsov (Rus) bt A Pavel (Cze) 6-4, 7-5, 6-4.

**DOUBLES:** Third round: G Kuerten (Br) and N Lanza (Ita) bt N Kukush and M Tursunov (Rus) 6-3, 7-6, 6-4; P Hodge (US) and F Haider (Aus) 6-3, 6-4, 6-4.

**WOMEN**

**SINGLES:** Fourth round: S Graf (Ger) bt B Schett (Aust) 6-1, 6-1; M Seles (US) bt S Testud (Fr) 6-0, 6-3; M Hingis (Swe) bt A Coetzer (SA) 6-3, 6-7, 6-1; M Pierce (US) bt A Kournikova (Rus) 6-0, 6-4.

**DOUBLES:** Third round: F Loeb (Aus) and D Van Rooyen (SA) bt E Santoro (Ita) and M Cretu (Rom) 6-3, 6-4; B Hodge (US) and Devonport (US) and D Kuznetsov (Rus) bt C Cretu and R Dragomir (Rom) 6-0, 6-3, 7-5.

## BOYS

**SINGLES:** First round: G Lubomirski (Pol) bt E Cekic (Cze) 6-1, 6-2; M Hilton (US) bt B Hodge (US) 7-6, 7-5.

## EXCLUSIVE READER OFFER

**EAT OUT FOR £5**

**THE TIMES TOKEN 2**

**Eat out for £5**

Our new Eat Out for £5 Restaurant Guide, this year in association with Diners Club International, is bigger and better than ever. Given away free with yesterday's Times, the guide lists more than 820 restaurants throughout Britain, including more than 100 restaurants in the Forte group, where you and up to five friends can enjoy a special Times menu for just £5 each. A further 70 participating restaurants are listed today on page 44 and an extra five are below. Restaurants where you can dine out in style for next to nothing include the Warehouse Brasserie, Colchester, and the Fauconberg Arms, Coxwold, Yorkshire, voted the two most popular restaurants by Times readers last year.



At a few eateries you get three courses for £5, and at some a free glass of wine is included in the price. Simply collect two differently numbered tokens from *The Times* and/or *The Sunday Times* and attach them to a voucher. The more tokens and vouchers you collect, the more restaurants you may dine in. Bookings must be made in advance and you should tell the restaurant you want *The Times* £5 offer and confirm what your £5 meal consists of. The offer is valid until March 7, 1999. Offer available in Britain only.

If you did not get a copy of our restaurant guide with yesterday's Times, please send an A4-size s.a.e. with a 30p stamp addressed, to: Eat Out for £5, Suite 100, PO Box 483, Customer Services, Level 6, Virginie Street, London E1 0BD.

**Diners Club International**

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Which national Sunday newspaper(s) do you buy at least once a month? \_\_\_\_\_

If you would prefer not to receive information and offers from organisations carefully selected by *The Times*, please tick

President likely to survive bribery scandal

## Olympic family will stand by Samaranch

**Rob Hughes believes that the IOC must fulfil its promises to carry out substantial reforms**

Why do old men cling to power when the circles over which they preside are tarnished beyond redemption? The joyride is over for Juan Antonio Samaranch. His court, the International Olympic Committee (IOC) in Lausanne, is discredited, and the uncomfortable road ahead is strewn with more and more inquiries, deeper and darker accusations.

The instinct to remain as head of this "family", as Samaranch calls the Olympic movement, may well defy all those who think the honourable course is for him to resign. The gratitude of the members, many of them invited into the circle by President Samaranch himself, doubtless will ease him through the vote of confidence to which he, grandly, has subjected himself.

However, even the IOC admits that Salt Lake City is not the only den of iniquity in what most see as bribery and corruption, and the president and his executive Olympians insist is merely the breaking of their solemn oath. The worst fear in Lausanne is that the United States judiciary and the House of Representatives will now subpoena members as witnesses under a more exacting oath, in criminal trials against officials of Salt Lake City's Olympic bid.

That is the future. So are the claims that Sydney, Amsterdam, Berlin, Melbourne and Quebec, winners and losers in the bidding game, all spread excessive largesse to the Olympic family. Over here, from Manchester and possibly from Birmingham, there are cries that the foul nature of opposing bids robbed them of millions of pounds spent entertaining IOC members. Aside from the inevitable question of whether this "gross hospitality", as Manchester's Sir Bob Scott called it, was itself an inducement to look kindly on

the Mancunian bid, the Olympic godfathers might point out that Manchester did not lose last time around to Sydney, but, in fact, came third behind China. However, Papa Samaranch is in an appeasing mood. "We will study their cities seeking recompense problems, and I think the IOC will give them the just solution," he said yesterday.

Fine, and all this is going to be honest, transparent, accountable as never before in the Olympic process.

As the ranks close, as even those who stand in line to succession say this is not the time to impeach the president, we must assume that, barring more direct implication on his part, Samaranch will avoid his personal removal until his term expires in 2001. The vote of confidence, from the family, would be akin, after all, to asking the Democrats what should become of Bill Clinton, or expecting the athletes of all the world's games to sign and

hollow rings. Two positive aspects have already emerged from the scandal. We learn that the IOC is to establish an Ethics Commission, composed of "senior persons, a majority of whom will be independent, outside members", and that, thank goodness, no longer will 114 members trapse around the globe with their goody bags, but an



Samaranch faces a vote of confidence by his members but he is expected to stay in office until his term ends in 2001

## Beijing leads the backlash

By JOHN GOODBODY

THE International Olympic Committee (IOC) yesterday began to widen its investigation into the "votes-for-favours" allegations surrounding other recent bids to stage the Games. With the Olympic movement reeling from the resignations of three members and the recommendation that six others should be expelled after the inquiry into the choice of Salt Lake City for the 2002 Winter Olympics, there are now fears that more revelations will damage fatally the world's biggest sporting event.

Juan Antonio Samaranch, the IOC president, has emphasised that the 2000 Summer Games in Sydney and Salt Lake City Winter Games will not be moved. However, an inquiry will now begin into the statement last week by John Coates, who led the Syd-

ney bid, that money was offered to the national Olympic committees of Kenya and Uganda before the ballot in 1993, which gave Sydney a 45-43 victory over Beijing.

Coates has insisted that the offers were not bribes but part of an assistance programme for African athletes.

However, Zhang Honghai, the head of foreign affairs for the Beijing City Government, said yesterday: "Such dirty things should not happen in Olympic bidding. The burning of the account book, itself supports the suspicion."

Sunakazu Yamaguchi, a former external affairs officer for the bid committee, has said that he ordered the book's destruction as "there was no space for storage". He added that such records could be "embarrassing" to some IOC members.

Five Nagano residents have

joined the controversy by planning to file a lawsuit today to demand the return of £4.75 million of taxpayers' money, which went into the successful bid for the 1998 Winter Games. The account book, detailing how the money was spent, has been destroyed.

Kaoru Iwata, the leader of the residents' group, said:

"We assume that the official subsidies were spent for such illegal purposes as excessive entertainment and suspected vote-buying. The burning of the account book, itself supports the suspicion."

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RUGBY UNION: PROPOSALS COULD SIGNAL THE END OF CROSS-BORDER FIXTURES

## English prepare to leave Wales behind

By MARK SOUSTER

WTB only five days until the scheduled deadline for agreement on the structure of English domestic rugby. It appears increasingly likely that proposals for an Anglo-Welsh league will collapse. Against the backdrop of increased opposition within England to the concept, including the unwanted spectre of a special general meeting, the Rugby Football Union (RFU) told Welsh officials on Sunday at a meeting at Droyden that they would accept only five Welsh clubs in a cross-border competition. It is an ultimatum to which Wales, which wants double that figure, will not agree.

In the unlikely event of the impasse being broken, it appears that England will stick with the Allied Dunbar Premiership, even in a restructured format. That places a significant question mark over the futures of Cardiff and Swansea, who would appear to have little option but to return to the Welsh league. However, the problem of the

ten-year loyalty agreement that both clubs refused to sign would still have to be confronted.

Asked whether he felt that English clubs were ready to turn their backs on the supposedly binding legal agreement, Gareth Davies, the Cardiff chief executive, who also sits on the board of English First-Division Rugby (EDFR), said: "I don't know, but if they did, it would not say much for them. As far as I am concerned, it is a two-way thing. "All our argument is about finding a level for a professional game. The way things stand, we can't negotiate with the WRU. There is no give and take. We wrote to them three weeks ago with a letter outlining what we felt — and so did a number of other Welsh clubs — was a workable, peaceful solution. We haven't had a reply yet."

He will find out more today at an EDFR board meeting in London.

The clubs themselves also realise that an Anglo-Welsh tournament could fall under the control of the Five Nations Committee, creating the prospect of continued turmoil.

In an attempt to allay the fears of

clubs in England and, in particular, those of Bristol and Worcester, the chairman, Walkinshaw, will outline various scenarios in the knowledge that the RFU will insist that the clubs will be liable for fines imposed by the International Rugby Board for playing the unofficial matches that have already cost the union £60,000 in withheld grants.

A senior official said: "The whole English game should not suffer for the action of the clubs. I think the IRB is understanding our position more and accepting the dilemma that their submission to the European Commission places us in."

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Martin Johnson plays his 200th first-team game for Leicester, the league leaders, tonight, when they meet Richmond at the Madejski Stadium in a match rearranged from last week. With Stuart Potter injured, Craig Joines retains his place at outside centre and Graham Rowntree returns at loosehead prop. Neil Back is doubtful with flu.

Richmond have named a squad, but the only definite non-starter is Adrian Davies. John Davies is expected to make his last appearance before finalising a move to Llanelli on Thursday.

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9/1/1	2-0	12/1	SUNDERLAND .. LEICESTER 28/1	6/1 QUINN (S)
2/1/1	2-1	10/1	DRAW .. SUNDERLAND 9/2	7/1 HESKEY (L)
16/1/1	3-0	33/1	DRAW .. SUNDERLAND 9/2	12/1 COTTEE (L)
25/1/1	3-2	25/1	DRAW .. LEICESTER 6/1	12/1 ELLIOTT (L)
8/1/1	0-0	2/1	LEICESTER .. SUNDERLAND 25/1	14/1 CLARK (S)
11/1/1	1-1	11/2	LEICESTER .. LEICESTER 9/2	15/1 JOHNSTON (S)
14/1/1	2-2	14/1	LEICESTER .. LEICESTER 9/2	14/1 IZZET (L)
			NO GOALSCORER	14/1 (S)
			Other scores on request.	
			Goals valid if match not completed.	
			Own goals do not count.	
			Own players on request.	
			Own goals do not count.	

FOR PRICES ON ALL THE MIDWEEK FOOTBALL ACTION SEE CH4 TEXT P601/2/3

## Tuigamala helps Gateshead

By CHRISTOPHER IRVINE

WHEN Gateshead Thunder play their first pre-season match away to Castleford Tigers on Friday, they will have in their ranks 19-stone Tongan wing, recommended by Vaiaga Tuigamala, who is assisting the new JJB Super League club in an advisory capacity. Epi Taione, 18, has been playing rugby union for Tynedale for 18 months and has spent four weeks training with Gateshead.

He is one several South Seas players whom Tuigamala is helping to nurture in both codes, although the Newcastle Falcons wing has no plans to return to rugby league himself. "Inga [Tuigamala] has some ideas about developing young island players and we have been talking to him about a million things, from race relations to education, but not about playing for us," Shane Richardson, the Gateshead chief executive, said.

Kevin Tamati, the coach of Whitehaven, has offered Tuigamala match terms to guest for the Cumbrian side in the first division over the summer, however. "He hasn't said no to joining us," Tamati said.

The one significant transfer before the Silk Cut Challenge Cup deadline expired last night was a move by Tony Kemp, the Leeds Rhinos stand-off half, to Wakefield Trinity.

The former Castleford and Newcastle Knights player has signed a two-year deal with the promoted Super League

## SNOW REPORTS

SKY CLUB	Depth (cm)	Conditions	Altitude (metres)	Westerly (metres)
Austria	13-77	Fair	0-1000	1000-1500
Österreich	40-180	Hard	0-1000	1000-1500
U.S.	20-70	Good	0-1000	1000-1500
Canada	Open	Open	0-1000	1000-1500
Take Lakes	100-190	Open	0-1000	1000-1500
France	Open	Open	0-1000	1000-1500
Alpe d'Huez	60-160	Fair	0-1000	1000-1500
Argentine	50-160	Fair	0-1000	1000-1500
Austria	20-100	Good	0-1000	1000-1500
La Clusaz	35-110	Good	0-1000	1000-1500
La Tarentaise	60-150	Fair	0-1000	1000-1500
Alpe d'Huez	64-170	Fair	0-1000	1000-1500
Monte Rosa	50-170	Fair	0-1000	1000-1500
Meribel	50-120	Fair	0-1000	1000-1500
Tignes	60-160	Fair	0-1000	1000-1500
Val Thorens	70-180	Fair	0-1000	1000-1500
Val d'Isère	65-140	Fair	0-1000	1000-1500
Valmorel	60-120	Fair	0-1000	1000-1500
Italy	Open			

## FOOTBALL

# Collymore seeks help for stress and depression

By RUSSELL KEMPSON

STAN COLLYMORE, the temperamental Aston Villa striker, is to seek counselling for stress and depression in an attempt to resurrect his career in the FA Carling Premiership. Neither Collymore nor John Gregory, the Villa manager, were willing to speak publicly about the latest twist in the player's controversial career yesterday, but a statement was issued by the club.

It read: "Stan Collymore has made it clear that pressure and stress have been building up for a long period of time, which culminated in the decision by the club not to consider him fit to play on Saturday. Following this, Stan has decided that he wishes to seek further counselling to help him overcome his current difficulties."

"Following extended meetings throughout the day with both Stan and his representative, the manager and board of directors of Aston Villa FC have expressed their desire to help Stan through his current problems, as it would with any of its employees."

Doug Ellis, the Villa chairman, was also unavailable to expand on the statement, which was made necessary by Collymore's failure to turn up for the FA Cup fourth-round



Collymore problems

comment. While there might be some sympathy if Collymore's apparent plight is genuine, many Villa fans have long been disenchanted by his antics since he joined the club from Liverpool for £7 million in May 1997. The ailment does appear to be catching, too, with Paul Di Canio, the Sheffield Wednesday striker, and Mark Viduka, the Celtic striker, having cited stress for the recent absences from their respective clubs.

Collymore's day had begun badly when he learnt that he faces a possible driving ban. He failed to turn up at Birmingham magistrates court to answer a charge of driving his Range Rover at 82mph in a 40mph zone in Birmingham on August 25 last year.

With minds focused on Collymore, Villa officials had little time yesterday to contemplate the possible move of Juninho, the Atlético Madrid and former Middlesbrough midfield player, to Villa Park. Representatives of Atlético visited the Midlands for preliminary talks last week, but Middlesbrough have since emerged as favourites to re-sign the Brazilian.

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## O'Neill and Reid aim for same goal

By MEL WEBB

THERE is much for Leicester City and Sunderland to play for when they meet in the first leg of the Worthington Cup semi-final at the Stadium of Light tonight, not least of which is the restoration of fractured confidence.

Both clubs were eliminated from the FA Cup on Saturday but with a place in Europe beckoning the winner of the competition, both will be anxious to wipe the memory of such recent cup reverses from their minds.

The teams were busy playing the mutual admiration game yesterday, but when it comes to the action tonight, it is likely that quarter will be neither taken, nor given.

"Coming up against a Premiership outfit like Leicester, who I have a lot of respect for, is a tough test," Kevin Ball, the Sunderland captain, said. "They're a league above us and they're doing well. But once on the pitch, it's just two

teams having a right good go at each other."

Martin O'Neill, the Leicester manager, regards Sunderland as certainties for the FA Carling Premiership next season, and has no illusions as to the task facing his side.

He has conceded nine goals in their past two matches.

"Sunderland's priority is promotion and, although I'm sure, Peter Reid will pour scorn on the idea, sitting pretty in the league might mean them not being fully wound up for a cup game," he said.

"But we know it will be tough. Sunderland appear to be playing at Premiership standard already, and the difference in league status will count for nothing when we get on the pitch."

Tony Cottee has a calf strain and, if he is unable to play, Muzzy Izzet may have to move up from midfield to central midfield or defence.

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# Damp it may be, but it's not on the rise

**A**ccording to *Raising The Roof* (BBC2), the walls of your house can be wetter than Dale Winton and, chances are, you still don't need to pay any body-bundles — let alone thousands — of pounds to put in a chemical damp-proof course because it's extremely unlikely that you've got rising damp. This leaves just one nagging question in your mind: why aren't there more such programmes on television, lifting the lid on other unpleasant things that we have all long suspected were at best unnecessary, such as self-assessment tax returns, Supermarket Sweep, large parts of South Dakota, and the Rev Ian Paisley?

Doubts about rising damp set in the minute you set foot in Venice. Here is a city that is still standing after hundreds of years, and after thousands of floods. On the several occasions that I have visited Venice, not once have I seen a boat

chugging down a canal bearing a sign saying, "Gino's Damp-Proofing — we treat de wets rota and de dry rota. No palazzo too small!" In all the biographies of Cassanova, you never once read of a time when he had to disappoint a lover on account of rising damp: "Can't come over to pleasure you this morning, love. I've got a man from San Marco Damp-Proofing coming round between 8am and 1pm to give me an estimate. He couldn't be more specific, what with all the visits he has to make."

The man we have to thank for opening our eyes is Mike Parrett, who works for Lewisham council as a damp-checker. "In the last nine years," he told us, "I've not found a single case of rising damp in any of the properties I've tested. I've tested literally thousands." Often he solved the damp by installing proper heating and ventilation. At other times, an existing

damp course had been "bridged", enabling ground-water to bypass the damp course. Parrett is so sceptical that you could no more easily persuade him that Paddy Ashdown's decision to retire as leader of the Liberal Democrats will make a measurable difference to British politics than you could that a British house has rising damp.

**U**sing the hidden camera technique he used to expose dodgy estate agents in the opening programme of the series, the presenter Paul Kenyon set up home in a wetish house that Parrett swore was not suffering from rising damp (there was leaky guttering, a blocked drain, a broken water pipe) and called in the professionals to sort out the problem. Nine estimates — to inject an un-needed chemical damp-proof course — ranged from £380 to well over £6,000. The companies Kenyon invited to survey the prob-

## REVIEW

**Joe Joseph**



lem included some of the best-known names in the business. With luck their phones won't be ringing for a while.

Although Kenyon has the sort of boyish enthusiasm, and the boyish looks, that give this series the air of a particularly proficient school science project, he seems to be making a snappier job of old-fashioned investigation than many grown-up presenters are managing. Of

course, you might fear even more for the damp-proofing companies if Oliver Watson ever gets his head to wash their dirty laundry in public.

For the past four weeks in his series *Against the Grain* (BBC2), Watson, a barley baron from Cambridgeshire, has been doing his best to avoid being invited to the National Farmers' Union annual ball ever again. Watson has ruffled the feathers of many farmers by highlighting the more preposterous anomalies of the common agricultural policy: under this scheme Britain's farmers have manoeuvred themselves into a position that coatiners and shipyard workers never worked out how to wangle, in which somebody would pay to keep them in business even if nobody wanted their coal or their ships — and even if this meant paying them billions of pounds not to mine coal or build ships at all. Watson, who gets a

frequently provocative series. In the process Watson has proved himself to be a television natural, with just the right mixture of arrogance and charm to command the camera. With luck we'll be seeing him again — unless Brussels decides it's smarter to pay him not to make more television shows.

Patsy Palmer waits ages to have a baby, then two come along at once. No sooner has she given birth on *EastEnders* than she's giving birth all over again in *Love Story*, shown last night in Channel 4's *Shooting Gallery* series of shorts. *Love Story* was written and directed by her husband, Nick Love, who cast Palmer as a pregnant heroin addict living in a subterranean hell-hole whose big-mouth boyfriend is too busy chasing his next fix to attend the birth. I think that was pretty much it, unless I missed something. It made *EastEnders* look as stylish as a Kurosawa film.

For this week he championed the use of agrochemicals and genetically engineered food as the only way to feed a world population that is growing by around 80 million people a year. Organically produced food may be the answer for those who can afford it — but what if you can't? Or don't want to? Watson doesn't think organic wheat or carrots taste any different, anyway. But even if they do, what role should the Government play in steering us towards them — any more than in steering us towards buying large, safe, expensive Bentley's rather than decrepit, rusty, cheap bangers?

It has been a thought-provoking,

## BBC1

8.00am Business Breakfast (27628)  
7.00 BBC Breakfast News (T) (63355)  
9.00 Kirby (T) (8207201)  
9.45 The Vanessa Show (T) (5670171)  
10.35 News; Regional News (T) (7548065)  
11.00 Real Roots (7558442)  
11.25 Can't Cook, Won't Cook (T) (5782201)  
11.55 News; Regional News (T) (7558997)  
12.00pm Call My Bluff (34794)  
12.30 Wipeout (3008442)  
12.55 The Weather Show (T) (5580794)  
1.00 One O'Clock News (T) (65442)  
1.30 Regional News (8202201)  
1.40 Neighbours (T) (6527317)  
2.05 Inside (T) (7203591)  
2.25 Body Spies (9128282)  
3.25 Children's BBC: Playdays (5575866)  
3.45 The Enchanted Lands: The Adventures of the Wishing Star (5612249) 3.55 Hubub (5039930) 4.10 Chipmunks Go to the Movies (5322511) 4.15 The Really Wild Show (1282133)  
5.00 Newsround (5008862) 5.10 Grange Hill (5149317)  
5.33 Raving (T) (656591)  
5.35 Neighbours (T) (T) (103256)  
5.50 Six O'Clock News (T) (171)  
6.30 Regional News Magazine (423)  
7.00 Holiday May Nightingale Visits Trelford, Double Vipond Holidays in Cyprus, and Late Lunch presents Met and Sue get Rock 'n' rolling in Burnham-on-Sea (T) (9220)  
7.30 EastEnders: The day of the inquest brings fresh tension (T) (607)



Julie Ffion Jenkins (Nicola Stephenson) could be in danger (spa)

8.00 Holly City: The staff of Gavin Ward struggle to prevent a deadly infection spreading beyond the confines of Casualty's famous hospital (T) (571336)  
8.50 8.50 to Paddington Green: Domestic services for her day at Sylvia Young's Theatre School in Paddington (2/6) (T) (215249)  
9.00 Nine O'Clock News; Regional News; Weather (T) (2383)  
9.30 Crimewatch: UK: 150 A search for a serial rapist in the West Midlands (T) (15201)  
10.30 Paddington: Green: Locksmith Jason Osbourne gets into a fix at the airport, while transsexual prostitute Jackie McAlpine books in for the final touches of her plastic surgery (T) (44177)  
11.00 Ladies' Night: Documentary: unveiling the myths surrounding male stoppers (T) (T) (679987)  
11.55 Crimewatch UK (T) (452572)  
12.05am The Honkers (1971) James Coburn plays an ageing rodeo showman whose marriage and career hit a rough patch. Directed by Steve Innes (T) (740701)  
1.40 Weather (5705973)  
1.45 BBC News 24 (75895027)

## BBC2

7.00am Children's BBC Breakfast Show: The Little Polar Bear (T) (5527236) 7.05 Telebabies (T) (2572336) 7.30 Sooty and Sweep (T) (3451285) 7.55 Blue Peter (T) (5668510) 8.20 Tez-Maria (5405688) 8.25 Petrol Dot Shirts (8777171) 8.50 Castle Drake (T) (8773355) 9.00 Daytime On Two: German Globe (7600826) 9.10 Working It Out (7680862) 9.25 Techno (6032442) 9.45 Numberline (882978) 10.10 Children's BBC: Teletubbies (27068) 10.30 Daytime On Two: Watch (5448822) 10.45 Space: Ark (5751997) 11.05 Megamaze (1098881) 11.35 Words and Pictures (2263084) 11.50 History File (2846133) 12.10pm English Express (4505133) 12.30 Working Lunch (50220)  
1.00 Children's BBC: Oskie Dole (7321806) 1.10 The Great Picture Chase (T) (8210751)  
1.40 The Arts and Crafts Show (55931510)  
2.10 Sporting Giants (22754084)  
2.40 News; Regional News (T) (5597249)  
2.45 Weathermaster (T) (6172028)  
3.25 News; Regional News (T) (2526510)  
3.30 Woman on the Ledge (1980): Drama focusing on the close relationship between three female friends. Directed by Leslie Charlton and Colleen Zarki. Pinter, set. Directed by Chris Thomson (T) (75404)  
5.00 Tennis: Australian Open: Highlights of the quarter-finals (T) (613)  
6.00 The Fresh Prince of Bel-Air (T) (T) (600930)  
6.25 Heartbreak High (T) (183881)  
7.10 The O Zone (T) (948510)  
7.30 From the Edge: A look at the implications of the Government's White Paper on Transport and an interview with wheelchair-bound war correspondent John Hockenberry (T) (249)  
8.00 University Challenge (T) (65101)  
8.30 Rick Stein's Seafood Odyssey: Rick visits a beach in Goa and prepares a spicy shark vindaloo before learning how to make an authentic dhal (T) (2317)  
9.00 Great Journeys: Cornish fish cook Rick Stein crosses Mexico from the Pacific to the Atlantic Ocean, travelling on the spectacular rail route through Copper Canyon and the Sierra Madre Mountains (T) (872201)



Frances Stock and Juliet Morris introduce the ceremony (spa)

9.50 Whitbread Book Awards: Live coverage of the literary awards ceremony from London's Brewery (T) (657716)  
10.30 Newsnight (T) (765882)  
11.15 The Larry Sanders Show (T) (192688)  
11.45 Weather (T) (404882)  
12.00pm Dispatch Box (86447)  
12.30 BBC Learning Zone

## ITV

5.30am ITN Morning News (30588)  
6.00 GMTV (6338626)  
9.25 Triple (T) (3103987)  
10.30 This Morning (T) (2477067)  
12.15pm HTV News and Weather (T) (5997775)  
1.30 HTV Lunchtime News (T) (54046)  
1.40 Home and Away (T) (53317)  
2.00 The Jerry Springer Show (T) (247881)  
2.45 Dale's Supermarket Sweep (T) (450384)  
3.15 ITN News (T) (2524152)  
3.20 HTV News (T) (2521065)  
3.25 CTV: Mopane's Shop (2511688) 3.35 Dale and Jim (T) (5614952) 3.50 The Wombles (6397893) 4.00 Cow and Chicken (2037884) 4.25 Miles and Angelo (2037884) 4.50 Blue (T) (670338)

5.10 A Country Practice (250274)  
5.45 ITN Early Evening News (T) (633555)  
5.55 HTV Crimewatch (655794)  
6.00 Home and Away (T) (T) (537084)  
6.25 WEST: HTV Weather (269220)  
6.25 WALES: Wales Tonight; Weather (T) (441404)  
6.30 The West Tonight (T) (591)  
7.00 Emmerdale: Ned receives a tempting offer from old flame Dawn (T) (5683)  
7.30 WEST: West Eye View (775)  
7.30 WALES: Flannick's Wild Tracks: New series: Trevor Flannick takes Wales on foot (T) (775)  
8.00 The Bill: The Drugs Squad reckon one of Meadow's men has been taking bribes after gangsters receive a tip-off about an impending raid, and their suspicions seem confirmed when a police informer is shot dead. (T) (5355)



Adrian Lulds and Annette Ekblom star as David and Patricia (spa)

9.00 Peak Practice: Andrew becomes personally involved in the heart rendering case of an old soldier who has a terminal brain tumour diagnosed (4/13) (5591)  
10.00 News at Ten (T) (20591)  
10.30 HTV News and Weather (T) (555715)  
10.40 **THE TIMOR CONSPIRACY**: The Timor Conspiracy: Indonesia's illegal occupation of East Timor (T) (657930)  
11.40 WEST: Pleasure Guide (213510)  
11.40 WALES: The Front Row: Special Highlights from rugby's Challenge Trophy (910861)  
12.00am Tales from the Crypt: Collection Completed (5818821)  
12.40 The Haunted Flank (5554911)  
1.10 Highlanders (T) (808911)  
2.10 Planet Rock Profiles (9501465)  
2.25 Wish You Were Here? (T) (7455263)  
3.00 Judge Judy (3167355)  
3.25 Football Extra (T) (401282)  
4.20 Coach Part One (T) (5518936)  
4.45 ITV Nighthouse (5081911)

Starts: 6.00am Sesame Street (T) (2130859) 7.00 The Big Breakfast (4753726) 9.00 Yagollon (41546507) 9.20 What the Papers Say (72057930) 10.00 Eurotel (5516528) 9.45 Entries (89153861) 10.01 The Number Crew (7137249) 10.10 TVM (5510178) 10.25 How We Used to Live (35308978) 10.45 Worlds of Faith (3982359) 11.00 First Edition (18577336) 11.15 Stories from the Past (18597959) 11.30 Pioneers (T) (24488226) 12.00pm Sunshine (T) (18118235) 12.30 Sunshine (T) (28102510) 1.00 Planned Plant (T) (47530713) 1.30 Collectors' Lot (55935502) 1.35 Film: Do Not Disturb (92369276) 3.30 Hampton Court Palace (T) (56202210) 4.00 Fifteen-to-One (T) (5692152) 4.30 Dishes (T) (5698336) 5.00 Planned Plant (23535848) 6.30 Countdown (T) (5699888) 6.40 Newday (T) (T) (6977897)  
6.10 Hens (T) (5670770) 7.00 Pobol y Cym (T) (55935502) 7.30 Newdiddyn (T) (56806507) 8.00 Y Stow (T) (4083220)  
8.30 Pengelli (T) (5185017) 9.00 Station X (T) (20322210) 10.00 Brookside (T) (54657978) 10.35 Mayday (4/4) (3654228)  
11.30 The Real Housewives (T) (78) (69375442) 12.05pm FILM: On the Stages (T) (3771226) 1.40 Short Stories (51367228)  
1.45 Doope (T) (5675301)

2.10 Doope 4.00 Yagollon:

Lee Marvin and Ernest Borgnine tussle for supremacy (1.46pm)

1.40 Emperor of the North Pole (1973) Two tall, thin, happen-hoben lads jump on to one another's cox too many, and are confronted by a murderous conductor. Starring Lee Marvin. Directed by Robert Aldrich (T) (50300485)

3.50 Sheila (14183447)

4.00 TOP 2 (549447) 5.40 Place and People (3584465)

2.10 Butcher's Hook (9097417)



Keanu Reeves (left) and Patrick Swayze star in Point Break (spa)

10.00pm The Big Blue House (2.25)

11.00pm The Amazing Stories (2.25)

12.00am Magic and Miracles (2.25)

1.00am The Magic of the Moon (2.25)

2.00am The Magic of the Moon (2.25)

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8.00am The Magic of the Moon (2.25)

9.00am The Magic of the Moon (2.25)



## TENNIS 47

Agassi crumbles to humbling defeat by old foe

## SPORT

TUESDAY JANUARY 26 1999

## GOLF 50

Duval shoots 59 to produce grandstand finish



## Sri Lanka await ban on Ranatunga

IT BECAME clear yesterday that Arjuna Ranatunga, the Sri Lanka cricket captain, who appears on a disciplinary charge today over his behaviour during the limited-overs international against England last Saturday, will be suspended, if Peter van der Merwe, the match referee, uses properly the powers invested in him by the International Cricket Council (ICC). If Ranatunga is suspended, it is possible that Sri Lanka will abandon their involvement in the triangular tournament in Australia and go home.

The transcript of a tape recorded by the stumped microphone in that spiteful match reveals that after Ranatunga had instructed Ross Emerson, the umpire who no-balled Muniyah Muralitharan for throwing, to stand close to the stumps, so that he could not

observe the bowler's action closely, he then told him: "I'm in charge of this game. You'll stand where I want you to. If you don't stand there there won't be a game."

Ranatunga was seen clearly at the time, making a mark with his boot, to show Emerson where he wanted him to stand. Earlier, he had led his players towards the dressing-room, after Emerson called Muralitharan for throwing, and was dissuaded from marching them off the field only after heated discussions with both umpires and with Van der Merwe.

Under the code of conduct regulations drawn up by the ICC, Ranatunga would appear to be guilty on five counts: failing to ensure that play was conducted within the spirit of the game; bringing the game into disrepute; showing dissent at

an umpire's decision; intimidating an umpire; and using abusive language.

Ranatunga was not the only player to use abusive language. On the tape, Darren Gough is heard telling Mahaanama, the batsman who had deliberately run him into to avoid a run-out attempt: "I'll [expletive deleted] kill you." But whereas Gough was using language that fast bowlers have employed down the decades, however offensive it may seem, Ranatunga was trying to take over the game -- and succeeding.

Despite the wretched incidents and the damage done to Muralitharan's reputation, Lancashire have reaffirmed that they are looking forward to welcoming the off spinner. Jack Simmons, the club chairman,

spoke to Muralitharan on his recent visit to Australia and he said yesterday that he envisaged no problems when the bowler began his county career at Old Trafford after the World Cup.

Muralitharan is, genuinely, the innocent in all this. He has a defective right arm, which, his supporters say, gives the impression of straightening when he bowls the ball. But not everybody is a supporter. It is widely felt within cricketing circles that, however legitimate some balls are, others are plain chuckers.

Simmons, an altogether more orthodox off spinner during his playing days, said that he was worried only for the bowler, not on Lancashire's behalf. "He is one of

the nicest people I have met and one of the most enthusiastic bowlers. After all this time, in which he has taken 200 Test wickets, it is diabolical that something like this should drop up. This Emerson is playing to the gallery. I don't know him and I don't want to."

"There was no difference between that ball [the one that Emerson called a throw] and many others he bowled. When you have had clearance from the ICC, from the likes of Michael Holding, who I know to be a fair-minded man, then I think there is something wrong and I don't know what it is."

The International Cricket Council sub-committee dealing with bowlers' actions, on which Holding sits, has not, in fact, cleared Murali-

tharan. His action has been investigated and it is felt that his "basic action" is acceptable. Nevertheless, umpires, whether they are good, bad or indifferent, are entitled to apply the law as they see fit.

Simmons admits that the unusual action poses some problems. "I must admit, the first time I saw him, I thought: 'My word, that's a bit different.' When I saw it again in slow motion, I realised it was a unique double-jointed action. When we were considering signing him for Lancashire, we were quite happy to go along with that. Our policy has always been that if it is good enough for the ICC, then it is good enough for us."

"Peter van der Merwe will make his report and we will go along with anything this committee comes up with, but I don't expect to

hear anything. Muralitharan has been bowling like that for so many years and I think that English umpires, having been former players, understand and recognise it."

The debate in Australia rumbles on and it will not cease until the Sri Lankans depart. There are those who feel that Emerson, who has never stood in a Test, is out of his depth, that he craves a spot in the limelight. Others believe that he is doing the right thing for applying its laws "without fear or favour".

Ranatunga's shameless behaviour has been roundly condemned, though the captain is far from contrite. If Van der Merwe stands him down from the rest of this series, as he surely must, given the abundance and weight of evidence, it may be the prelude to further storms.

## Viduka eager to make his mark at Celtic

BY KEVIN McCARRA

IF CELTIC have lacked a maverick forward since the departure of the tempestuous pair of Pierre van Hooijdonk and Paolo Di Canio, the vacancy has now been filled with aplomb. Mark Viduka stated yesterday that he is eager to settle down and play. While relieved to find him on the premises, the club will view the Australian as a suitable candidate for electronic tagging.

He signed for Celtic from Croatia Zagreb seven weeks ago, but then revealed that he was suffering from depression and left for his native Melbourne two days later. Should his movement be as unpredictable on the field itself, defenders will never be able to pin him down. As speculation over Viduka's future rumbled on, Celtic must have had thoughts of their own about his whereabouts, perhaps

wishing that he was with another club entirely.

He is reported to have been offered to West Ham United recently as a replacement for John Hartson. It would show a callous disregard for human suffering to present Viduka only as a troublemaker, but he remains vague about the origins of his distress. The forward, who is of Croatian descent, did appear alienated at Croatia Zagreb and is alleged to have been involved in fights with a journalist and a supporter.

His previous club is an unusual institution. The fans' replica jerseys are not quite replicas because they bear the word 'Dinamo' on the back. That is the original name of Croatia Zagreb and the alteration, never accepted by the crowd, was made to turn them into a vehicle of national identity when playing in European

competitions. Viduka's links to Franjo Tudjman, the president of the country, may have contributed to his eventual unpopularity.

Having scored 103 goals in 165 games before this season, Viduka was once highly esteemed at a club he joined as a 19-year-old in 1995. "The situation changed and I was in the firing line," Viduka said. "When I moved to Celtic, I thought that I would be able to take the things that happened to me in Zagreb in my stride, but I needed time to get over them."

There was a lot of stress and I was in no condition to play. There is no guarantee that it won't happen again, but I am ready to start playing now and to give my heart to the team." Viduka received counselling from Patrick Farrell, an Australian sports psychologist, who also works with Luc Longley, of the Chicago Bulls basketball team.

Sympathy for the forward is withheld because his psychological condition has never appeared to be the only relevant factor. H L Mencken, the great American journalist, once observed that when anyone claims that a dispute is not about money, one can be sure that it is about money. "It had nothing to do with money," Viduka told his new teammates at Celtic. It is an assertion that sits oddly with statements issued by the club.

Fergus McCann, the Celtic chairman, who has fallen silent since, acknowledged last week that complex financial arrangements were involved. It is understood that Viduka had a deal with Croatian Zagreb that would see him receive a percentage of any transfer fee and it appears that he is due at least £1.2 million of the £3 million price agreed with Celtic.

That sum, and the manner in which it was to be paid, seem to have been topics of dispute since Viduka fled Glasgow last month. Even now, Croatia Zagreb are claiming that the entire £3 million should be handed over to them and that any further distribution of cash is their responsibility. Only goals from Viduka can remove the scepticism of Celtic supporters.

In football, whose hall of fame often resembles a rogues' gallery, much is forgotten the successful.

□ The executive committee of Uefa will discuss the plan for a biennial World Cup when they meet in Cape Town today, only the second such meeting to be held outside Europe.

Feeling the heat: Anna Kournikova's challenge for the Australian Open comes to an end in a straight-sets defeat by Mary Pierce. Report, page 47

## Identity of drug-test athlete kept secret

BY DAVID POWELL  
ATHLETICS CORRESPONDENT

BRITISH athletics shifted uneasily in the starting blocks of its new beginning yesterday when it decided not to name the athlete who has returned positive first and second samples from a drugs test. It even suggested that it may not disclose the athlete's identity at all.

Though the results of the test have been communicated to the athlete, suspension -- and naming -- can take place only if an independent panel confirms that a doping offence has been committed. This crucial stage in the doping regulations has yet to be completed and has been held up because the sport is in the transition stage between one governing body to another.

UK Athletics (UKA) is launched today as the new national body, in succession to the collapsed British Athletic Federation (BAF). However, Jayne Pearce, the UKA spokesperson, said yesterday that, although the launch would go ahead as scheduled, the drugs case was delaying full transition. "We were on course," Pearce said. "This slows it up."

The athlete concerned is understood to be high profile but, mindful of how the Diane Modahl drugs case was a considerable factor in the BAF going bankrupt, officials refused to reveal any details that might lead to identification. Pearce declined to say whether it was a man or a woman, whether the drug carried a three-month or two-year ban for a first offence, or even whether it was an or out-of-competition test.

However, given that it is BAF rules that are being applied in this case, it is clear that the athlete concerned is understood to be high profile but, mindful of how the Diane Modahl drugs case was a considerable factor in the BAF going bankrupt, officials refused to reveal any details that might lead to identification. Pearce declined to say whether it was a man or a woman, whether the drug carried a three-month or two-year ban for a first offence, or even whether it was an or out-of-competition test.

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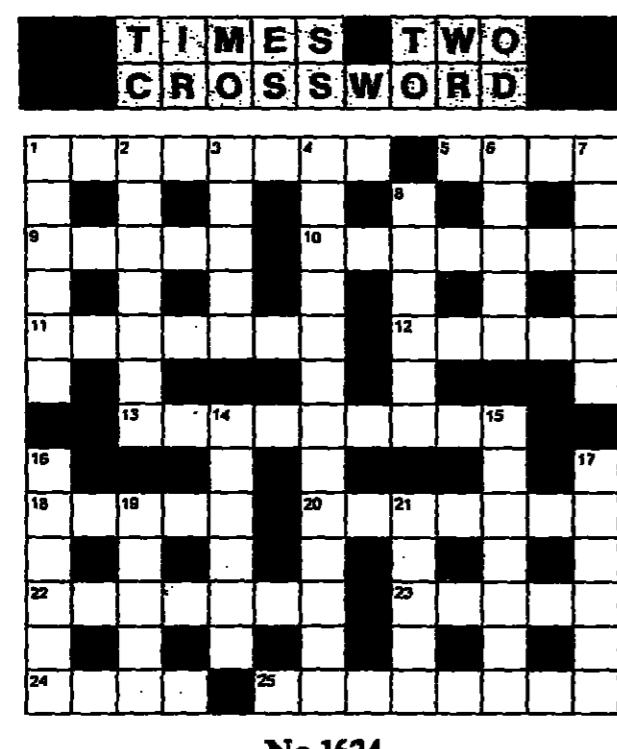
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No 1624

**ACROSS**

- Freedom from sanction (8)
- Two wives of Henry VIII (4)
- Prance around (5)
- Joint; the indecent near it (7)
- The windpipe (7)
- Big-Ears' friend (Blyton) (5)
- Abducted; Stevenson novel (9)
- Different (5)
- Moscow citadel (7)
- Rescue after damage (7)
- Fielding position; ravine (5)
- Author's script (4)
- Sewn together (8)

**SOLUTION TO NO 1623**

**ACROSS:** 1 Wardrobe, 5 Odes, 8 Rebel, 9 Disturb, 11 Tot, 12 Oriflamme, 13 Polite, 15 Hybrid, 18 Porcupine, 19 Fur, 20 Climber, 21 Spoon, 22 Sage, 23 Meuniere, 24 (Author's) script, 25 Sewn together.

**DOWN:** 1 Worktop, 2 Rebut, 3 Rule of thumb, 4 Bodkin, 6 Drummer, 7 Sable, 10 Silly season, 14 Lurking, 16 Derange, 17 Pierce, 18 Paces, 19 Frize.

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Viduka seems ready to get down to business at Celtic



Pearce: believes rules must be followed